

000521

CITY OF SAN DIEGO
OFFICE OF THE CITY CLERK

335
1/15

RECEIVED
CITY CLERK'S OFFICE

RECOMMENDATIONS

COMMUNITY PLANNING GROUP /STAFF'S /PLANNING COMMISSION

07 OCT 33 PM 2:42

SAN DIEGO, CALIF.

Project Manager **must** complete the following information for the Council docket:

CASE NO. Project No. 81316, 1244 Oliver Tentative Map

STAFF'S

Please indicate recommendation for each action. (ie: Resolution / Ordinance)

DENY APPEAL and APPROVE Resolution for Coastal Development Permit No. 457937; and

DENY APPEAL and APPROVE Resolution for Tentative Map No. 254536 and the request to waive the requirement to underground existing overhead utilities.

PLANNING COMMISSION (List names of Commissioners voting yea or nay) (Garcia – not present)

YEAS: 5 – Schultz, Ontai, Otsuji, Nasland, & Smiley

NAYS: 1 - Griswold

ABSTAINING:

TO: (List recommendation or action)

APPROVED Coastal Development Permit No. 457937; and

APPROVED Tentative Map No. 254536 and the request to waive the requirement to underground existing overhead utilities.

COMMUNITY PLANNING GROUP (choose one)

LIST NAME OF GROUP: Pacific Beach Community Planning Committee

☐ No officially recognized community planning group for this area.

☐ Community Planning Group has been notified of this project and has not submitted a recommendation.

☐ Community Planning Group has been notified of this project and has not taken a position.

☒ Community Planning Group has recommended approval of this project.

☐ Community Planning Group has recommended denial of this project.

☐ This is a matter of City-wide effect. The following community group(s) have taken a position on the item:

In favor: 15

Opposed: 0

By _____
Project Manager

000523



THE CITY OF SAN DIEGO

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07 OCT 33 PM 2:41

SAN DIEGO, CALIF.

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: August 23, 2007 **REPORT NO.** PC-07-094

ATTENTION: Planning Commission, Agenda of August 30, 2007

SUBJECT: 1244 OLIVER TENTATIVE MAP - PROJECT NO. 81316. PROCESS 4

**OWNER/
APPLICANT:** Mr. William G. Clarke Family Trust

SUMMARY

Issue(s): Should the Planning Commission approve a Coastal Development Permit and Tentative Map to convert nine existing apartment units into residential condominiums located at 1244 Oliver Avenue, with a request to waive the requirement to underground existing overhead utilities?

Staff Recommendation:

1. APPROVE Coastal Development Permit No. 457937; and
2. APPROVE Tentative Map No. 254536 and the request to waive the requirement to underground existing overhead utilities.

Community Planning Group Recommendation: On April 26, 2006, the Pacific Beach Community Planning Committee voted 15-0-0 to recommend approval of the proposed project with a stipulation that a new trash enclosure be added to the site.

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, 15301 (k), as "Existing Facilities". This project is not pending an appeal of the environmental determination. The exemption determination for this project was made on October 11, 2005; and the opportunity to appeal that determination ended on October 25, 2005.

Fiscal Impact Statement: All costs associated with processing of this application are paid for by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: The proposed project is the conversion of nine existing apartment units into condominiums. There would be a loss of nine rental units and a gain of nine for-sale units. This Tentative Map project is required to comply with the inclusionary housing requirements and tenant relocation assistance program, which are conditions of the proposed Tentative Map (Attachment 8).

BACKGROUND

The 6,245 square foot site is located at 1244 Oliver Avenue in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable) and Coastal Height Overlay Zone. The development is located on two parcels and designated Multi-Family Residential by, and located within, the Pacific Beach Community Plan area (Attachment 2). The surrounding area is developed with multi-family and some intermittent single family development. The proposed subdivision constitutes, by definition, Coastal Development, which pursuant to the Land Development Code (Section 126.0702) requires a Coastal Development Permit. A Tentative Map is required, by the Land Development Code (Section 125.0410), for the proposed division of the property into nine residential condominium dwelling units.

The existing development is a two-story, nine dwelling unit apartment building that was constructed in 1958. At the time the property was developed the approved construction met all the current regulations. The apartment building includes eight, studio units and one, one-bedroom unit, ranging in size from approximately 400 square feet to 690 square feet each. The original development provided ten parking spaces, five accessible from Oliver Avenue and five accessible from the alley to the north.

No Building or Zoning Code violations are recorded against the property. The project has previously conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code. If this property was undeveloped today, under the current RM-1-1 Zone development regulations, up to two residential dwelling units could be developed.

DISCUSSION

Project Description:

The project proposes to convert the existing residential complex, of nine residential apartments, into nine residential condominium dwelling units. Utilities are located above ground in the right-of-way of the alley at the rear of the property, north of Oliver Avenue and east of Everts Street. The apartment building was constructed in 1958 and consists of a two-story, concrete, wood siding and brick veneer. The project has a total of ten off-street parking spaces, five accessible from Oliver Avenue and five accessible from the alley. During the project's review, City Staff determined that the existing structure was in conformance with the development codes in effect at the time of construction.

Undergrounding Waiver Request:

The project site is located in Block 2-U of the City's Undergrounding Master Plan and is scheduled for undergrounding to start May 31, 2047 (Attachment 13). San Diego Municipal Code Section 144.0240, allows the subdivider to apply for a waiver of the requirement to underground the existing overhead utilities within the boundary of the subdivision, or within the abutting public rights-of-way. City staff has determined the undergrounding waiver request qualifies under the Guidelines of Council Policy 600-25, *Undergrounding Conversion of Utility Lines at the Developers Expense*, in that it involves a short span of under 600-feet, would not represent a logical extension to an undergrounding facility and is a condominium conversion application. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision and all onsite utilities serving the subdivision will be undergrounded as a condition of the Tentative Map (Attachment 8). If the requested waiver of undergrounding is not approved, the applicant would have to add one additional power pole, at the north west corner of the property along the alley.

Project-Related Issues:

All condominium conversion projects deemed complete on or after February 7, 2004, must conform to the regulations regarding Inclusionary Housing, Coastal Affordable Housing and Tenant Relocation Benefits adopted by the City Council on March 15, 2004. Conditions Nos. 11, and 12 of the draft Tentative Map Resolution (Attachment 8) require compliance with this ordinance. In order to meet this requirement the applicant has elected to pay the in-lieu fee for Coastal Affordable Housing, which is calculated to be \$145,100.00.

Building Conditions Report and Landscape Plan Requirements:

In accordance with the current regulations, the applicant provided a Building Conditions Report and Landscape Concept Plan. Both of these documents have been reviewed for conformance with the applicable regulations within the Land Development Code (Chapter 14, Article 4, Division 5) and have been accepted by staff as conforming with the regulations (Attachment 15).

Conclusion:

A Coastal Development Permit, Tentative Map and Waiver of Undergrounding for a Condominium Conversion are a Process Four, Planning Commission decision pursuant to San Diego Municipal Code Sections 126.045 and 125.0430. A Tentative Map for Condominium Conversion may be approved if the decision maker finds that the proposed division of land complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed condominium conversion and found it to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and land use policies. Staff has determined that the required findings can be made as the project meets the applicable San Diego Municipal Code regulations and requirements. Staff recommends approval of the project as proposed.

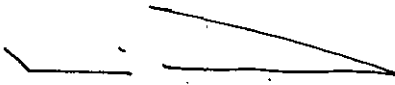
The project site is located within the Coastal Overlay Zone and recently became subject to new

condominium conversion regulations adopted by the City Council on June 13, 2006, when the California Coastal Commission certified them on June 14, 2007.

ALTERNATIVES

1. Approve Coastal Development Permit No. 457937 and Tentative Map with Waiver of Undergrounding No. 254536, with modifications.
2. Deny Coastal Development Permit No. 457937 and Tentative Map with Waiver of Undergrounding No. 254536, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



**Mike Westlake
Program Manager
Development Services Department**



**Glenn Gargas
Project Manager
Development Services Department**

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan/Tentative Map
6. Draft CDP Permit
7. Draft CDP Resolution
8. Draft Tentative Map Conditions and Subdivision Resolution
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Project Chronology
12. Housing Commission Letter - Coastal Affordable Housing Compliance
13. Proposed Undergrounding of Overhead Utilities
14. Photos of Existing Front and Rear Elevations
15. Building Conditions Report

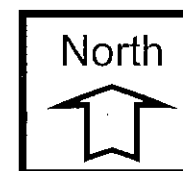


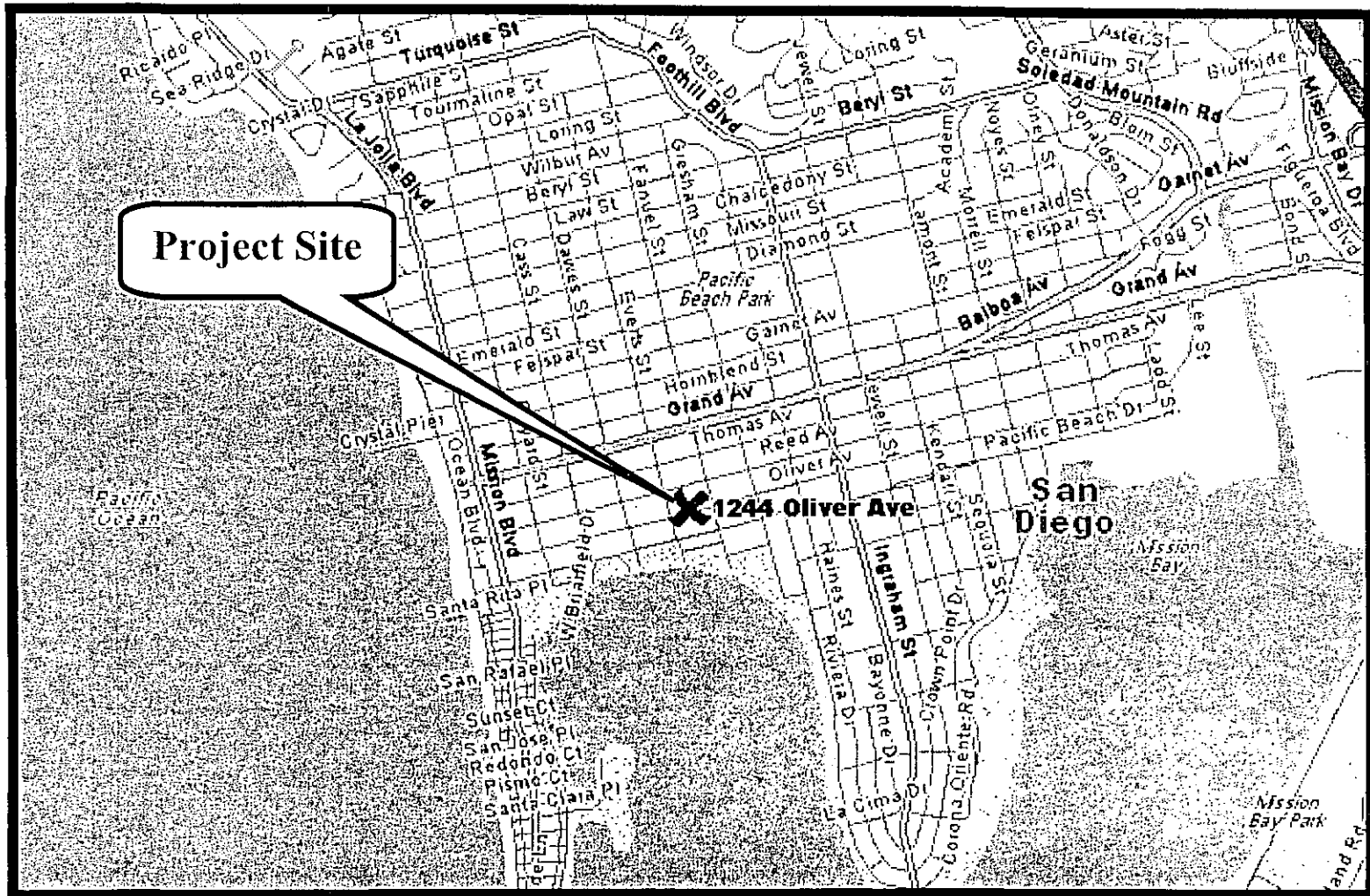
Aerial Photo

1244 OLIVER TENTATIVE MAP - 1244 OLIVER AVENUE

PROJECT NO. 81316



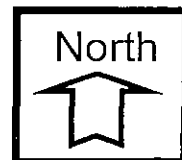
**PROJECT NO. 81316 – PACIFIC BEACH CPG**



Project Location Map

1244 OLIVER TENTATIVE MAP – 1244 OLIVER AVENUE

PROJECT NO. 81316



PROJECT DATA SHEET FOR CONDOMINIUM CONVERSIONS

PROJECT NAME:	1244 Oliver Tentative Map	
PROJECT DESCRIPTION:	Conversion of nine residential units to condominium ownership and a waiver to underground existing utilities.	
COMMUNITY PLAN AREA:	Pacific Beach Plan Area.	
DISCRETIONARY ACTIONS:	Coastal Development Permit, Tentative Map and utility underground waiver	
COMMUNITY PLAN LAND USE DESIGNATION:	Multi-Family Residential	
<div style="display: flex; justify-content: space-between;"> <div style="width: 55%;"> <u>CURRENT ZONING INFORMATION:</u> ZONE: RM-1-1: multi-family residential zone DENSITY: one dwelling unit per 3,000 sq. ft. of lot area. HEIGHT LIMIT: 30-Foot maximum height limit. LOT SIZE: 6,000 square-foot minimum lot size. FLOOR AREA RATIO: 0.75 maximum. FRONT SETBACK: 15/20 feet. SIDE SETBACK: 5/8 feet. STREETSIDE SETBACK: 10 feet. REAR SETBACK: 15 feet. PARKING: 14 spaces required </div> <div style="width: 40%;"> <u>CONSTRUCTED:</u> R-4 One unit per 400 sq. ft. of lot area 30 6,245 Square Feet 0.62 25-Feet 5-Feet NA 19-Feet 10 spaces </div> </div>		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Multi-Family Residential; RM-1-1.	Multi-Family Residential
SOUTH:	Multi-Family Residential; RM-1-1.	Multi-Family Residential
EAST:	Multi-Family Residential; RM-1-1.	Multi-Family Residential
WEST:	Multi-Family Residential; RM-1-1.	Multi-Family Residential
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On April 26, 2006, the Pacific Beach Community Planning Committee voted to approve the request for the Tentative Map. The motion passed 15-0-0.	

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
PERMIT INTAKE
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-5094

COASTAL DEVELOPMENT PERMIT NO. 457937
1244 OLIVER TENTATIVE MAP – PROJECT NO. 81316
PLANNING COMMISSION

This Coastal Development Permit No. 457937 is granted by the Planning Commission of the City of San Diego to William G. Clarke and Joanne E. Clarke, Co-Trustees of Clarke Trust, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0702. The 0.25 acre site is located at 1244 Oliver Street, in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone, within the Pacific Beach Community Planning Area. The project site is legally described as Lots 29 and 30, Block 289, Pacific Beach Subdivision of AC Lots 67, 68, 76, 77, 80 and 81, Map TR No. 946.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner /Permittee to divide an existing 9 unit apartment complex to be converted into 9 residential condominium units described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated August 30, 2007, on file in the Development Services Department.

The project or facility shall include:

- a. Division of an existing two-story, 9 unit apartment complex, into 9 residential condominium units on a 0.143 acre property;
- b. Existing Landscaping;
- c. Existing Off-street parking facilities, ten parking spaces;
- d. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Conversion of the existing units to condominium ownership must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. This Permit shall become effective with recordation of the corresponding final parcel map for and approval of the project site.
8. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable,

or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

ENGINEERING REQUIREMENTS:

9. The Coastal Development Permit shall comply with all conditions of the associated Tentative Map No. 254536 to the satisfaction of the City Engineer.

AFFORDABLE HOUSING REQUIREMENTS:

10. The Housing Commission carried out a tenant income survey pursuant to the City's Coastal Overlay Zone Affordable Housing Replacement Regulations (Municipal Code Sections 143.0810 through 143.0860). The applicant is required to pay an in-lieu fee of \$145,100.00 to the Housing Commission or provide four replacement studio units for low-income households and one replacement studio unit for moderate-income households.

The applicant shall enter into a Coastal Affordable Housing Compliance Agreement with the Housing Commission prior to the approval of Final Map.

11. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5), to the satisfaction of the City Manager and the Housing Commission.

PLANNING/DESIGN REQUIREMENTS:

12. No fewer than ten (10) off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A," on file in the Development Services Department. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

13. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

14. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for Inclusionary Housing Regulations (Chapter 14, Article 2, Division 13), to the satisfaction of the City Manager and the Housing Commission.

15. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5), to the satisfaction of the City Manager and the Housing Commission.

INFORMATION ONLY:

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.

APPROVED by the Planning Commission of the City of San Diego on August 30, 2007, by Resolution No. ____-PC.

PLANNING COMMISSION
RESOLUTION NO. – _____-PC
COASTAL DEVELOPMENT PERMIT NO. 457937
1244 OLIVER TENTATIVE MAP – PROJECT NO. 81316

WHEREAS, William G. Clarke and Joanne E. Clarke, Co-Trustees of Clarke Trust, Owner/Permittee, filed an application with the City of San Diego to divide an existing two-story, apartment complex with nine dwelling unit apartments into nine residential condominium units (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 457937, on portions of a 0.143-acre property;

WHEREAS, the project site is located at 1244 Oliver Street, in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, and within the Pacific Beach Community Planning Area;

WHEREAS, the project site is legally described as Lots 29 and 30, Block 289, Pacific Beach Subdivision of AC Lots 67, 68, 76, 77, 80 and 81, Map TR No. 946.

WHEREAS, on August 30, 2007, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 457937, pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated August 30, 2007.

FINDINGS:

Coastal Development Permit - Section 126.0708

- 1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan; and**

The 0.143-acre project site is currently developed with an existing apartment complex which includes nine residential apartment units. The development proposes to divide the existing nine dwelling units into residential condominiums and is located approximately five blocks from the coastline. The proposed development is existing and is contained within the existing legal lot area, which will not encroach upon any existing or proposed physical access to the coast. The project site is not located on or adjacent to an identified visual access corridor as identified within the Pacific Beach Local Coastal Program. The project site is situated along Oliver Street, within a developed multi family residential neighborhood. The proposed division into condominiums met the development setbacks

and height limit required at the time it was built and the proposed structure will not block any identified visual corridor.

2. The proposed coastal development will not adversely affect environmentally sensitive lands; and

The 0.143-acre project site is currently developed with an nine dwelling unit apartment complex and does not contain environmentally sensitive lands. The environmental review, determined that the project would not have a significant environmental effect on environmentally sensitive lands and was found to be exempt from environmental review under CEQA Guidelines. The project does not propose any grading on any portion of the property and does not propose any encroachment into Environmentally Sensitive Lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program; and

The proposed division of the existing apartment complex with nine dwelling units into condominium units is located on a site which has a Multi-Family Residential land use designation. During environmental review, it was determined that the project was exempt under the CEQA Guidelines. The project design was also determined to be in compliance with all of the applicable development regulations at the time it was constructed. Due to these factors the proposed condominium conversion was found to be in compliance with the City of San Diego adopted Pacific Beach Community Plan and the Progress Guide and General Plan and the certified Local Coastal Program Land Use Plan.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The 0.143-acre site, currently developed with an existing apartment complex that includes nine dwelling units, is located within a well developed multi family residential neighborhood. The project site is not located between the first public road and the sea or coastline. Development of the project will be fully within the private property. The project site is approximately five blocks away from the Pacific Ocean. There is no identified public access and public recreation area on or adjacent to the project site and these stated resources will not be impaired by the development of this site. The proposed condominium conversion project is designed to take access off the existing public alley and public street, with all ten existing off street parking spaces off the alley and street. The existing character and pedestrian design of the street will remain unaltered.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 457937, is hereby GRANTED by the Planning

Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 457937, a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas
Development Project Manager
Development Services

Adopted on: August 30, 2007

Job Order No. 42-5094

cc: Legislative Recorder, Planning Department

PLANNING COMMISSION RESOLUTION NO. ____ -PC
TENTATIVE MAP NO. 161391
1244 OLIVER TENTATIVE MAP - PROJECT NO. 81316

WHEREAS, WILLIAM G. CLARKE FAMILY TRUST, Applicant/Subdivider, and SAN DIEGO LAND SURVEYING AND ENGINEERING, INC., Engineer, submitted an application with the City of San Diego for a Tentative Map, No. 161391, for the conversion of an existing, two-story, nine (9) residential dwelling unit apartment complex into condominiums and to waive the requirement to underground existing overhead utilities. The project site is located at 1244 Oliver Avenue, on the north side of Oliver Avenue and east of Everts Street, and is legally described as Lots 29 and 30, Block 289, Pacific Beach Subdivision of AC Lots 67, 68, 76, 77, 80 & 81, Map TR No. 946, in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone and within the Pacific Beach Community Plan Area; and

WHEREAS, the Map proposes the subdivision of a 0.143 acre site into one (1) lot for a nine (9) unit residential condominium conversion; and

WHEREAS, the project is exempt from environmental review pursuant to Article 19, Section 15301(k) of the California Environmental Quality Act (CEQA) on the basis that the facilities are existing; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineering pursuant to the Subdivision Map Act and Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, the subdivision is a condominium project as defined in Section 1350 et seq. of the Civil Code of the State of California and is filed pursuant to the Subdivision Map Act. The total number of condominium units is nine (9) residential dwelling units; and

WHEREAS, on August 30, 2007, the PLANNING COMMISSION of the City of San Diego considered Tentative Map No. 161391, including the waiver of the requirement to underground existing overhead utilities, and pursuant to Sections 125.0440, 125.0444, and 144.0240 of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the PLANNING COMMISSION having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the PLANNING COMMISSION of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 161391:

1. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).

2. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).
3. Each of the tenants of the proposed condominium project has received, pursuant to State Map Action Section 66452.9, written notification of intention to convert at least 60 days prior to the filing of a tentative map (Land Development Code 125.0444 and State Map Act Section 66427.1(a)).
4. The project has been conditioned that the Subdivider will give each tenant and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the State Map Act (Land Development Code Section 125.0444 and State Map Act Section 66427.1(a)).
5. The project has been conditioned that the Subdivider will give each tenant 10 days' written notification that an application for a public report will be, or has been, submitted to the Department of Real Estate, and that such report will be available on request (Land Development Code Section 125.0444 and State Map Act Section 66427.1(a)).
6. The project has been conditioned that the Subdivider will give each tenant of the proposed condominium project written notification within 10 days of approval of a final map for the proposed conversion (Land Development Code Section 125.0444 and State Map Act Section 66427.1(b)). If the subdivider chooses to provide affordable housing units, the subdivider shall enter into an affordable housing agreement with the Housing Commission, prior to recordation of the Final Map.
7. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion (Land Development Code Section 125.0444 and State Map Act Section 66427.1(c)).
8. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right (Land Development Code Section 125.0444 and State Map Act Section 66427.1(d)).

9. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing (Land Development Code Section 125.0444.b).
10. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed (Land Development Code Section 125.0444.c).
11. Each of the tenants of the proposed condominium project has received written notification of the project application for the condominium conversion at least 10 days after the application was deemed complete (Land Development Code 125.0431(a)(3)).
12. The project has been conditioned that the subdivider will give each person applying for the rental of a unit in such residential real property written notification that the project application for the condominium conversion was deemed complete (Land Development Code 125.0431(a)(3)).
13. The project has been conditioned that the subdivider will give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (Land Development Code Section 125.0431(a)(4)).
14. The project has been conditioned that the subdivider will provide a relocation assistance payment to all tenants of the project whose tenancy has terminated due to the condominium conversion. (Land Development Code Section 144.0505).
15. The project has been conditioned for the subdivider to satisfy the inclusionary housing requirements in accordance with Land Development Code Section 142.1306. (Land Development Code Section 144.0508).
16. The requested underground waiver of the existing overhead facilities, qualifies under the guidelines of Council Policy No. 600-25 *Underground Conversion of Utility Lines at Developers Expense* in that:
 - A. The conversion involves a short span of overhead facility (less than 600 feet in length).
 - B. The conversion is a requirement of a condominium conversion of an existing development and the conversion would not represent a logical extension to an underground facility.
17. That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the PLANNING COMMISSION, Tentative Map No. 161391, including the waiver of the requirement to underground existing overhead utilities, is hereby granted to William G. Clarke Family Trust, Applicant/Subdivider, subject to the following conditions:

GENERAL

1. This Tentative Map will expire September 13, 2010.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the Tentative Map expiration date, a Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the County Recorder.
4. The Final Map shall conform to the provisions of Coastal Development Permit No. 457937.
5. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any to any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.
6. The subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:

- a. For existing tenants, within 10 days of the project application for the *condominium conversion* being deemed complete; or
 - b. For prospective tenants, upon application for the rental of a unit in the proposed *condominium conversion*.
7. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the State Map Act.
8. The Subdivider shall provide the tenants a Notice of Application for a Public Report at least 10 days prior to the submittal to the Department of Real Estate (DRB), pursuant to Section 66427.1(a) of the Subdivision Map Act.
9. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Section 66427.1(c) of the Subdivision Map Act. The provisions of this subdivision shall not alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Sections 1941, 1941.1 and 1941.2 of the Civil Code.
10. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Section 66427.1(d) of the State Map Act. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report, pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.
11. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days or approval of a Final Map for the proposed conversion, in conformance with Section 66427.1(b) of the Subdivision Map Act.
12. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
13. Prior to recordation of the Final Map, all onsite utilities serving the subdivision shall be undergrounded with appropriate permits. The applicant shall provide written confirmation from applicable utilities that the conversion

has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.

14. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the State Map Act.
15. The Subdivider shall provide the tenants a Notice of Application for a Public Report at least 10 days prior to the submittal to the Department of Real Estate (DRB), pursuant to Section 66427.1(a) of the Subdivision Map Act.
16. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Section 66427.1(c) of the Subdivision Map Act. The provisions of this subdivision shall not alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Sections 1941, 1941.1 and 1941.2 of the Civil Code.
17. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Section 66427.1(d) of the State Map Act. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report, pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.
18. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days or approval of a Final Map for the proposed conversion, in conformance with Section 66427.1(b) of the Subdivision Map Act.
19. The subdivider will provide to a prospective purchaser a copy of the Building Conditions Report prior to the opening of an escrow account. (Land Development Code Section 144.0504(c)).

AFFORDABLE HOUSING

20. The Housing Commission carried out a tenant income survey pursuant to the City's Coastal Overlay Zone Affordable Housing Replacement Regulations (Municipal Code Sections 143.0810 through 143.0860). The applicant is required to pay an in-lieu fee of \$145,100.00 to the Housing Commission or

provide four replacement studio units for low-income households and one replacement studio unit for moderate-income households.

The applicant shall enter into a Coastal Affordable Housing Compliance Agreement with the Housing Commission prior to the approval of Final Map.

21. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5), to the satisfaction of the City Manager and the Housing Commission.

ENGINEERING

22. The Final Map shall comply with the provisions of Coastal Development Permit No. 457937.
23. The subdivider shall remove the parking stripes from the Oliver Street right-of-way.
24. The subdivider shall repair the damaged areas of the on site parking area off of Oliver Avenue.
25. The subdivider shall repair the damaged areas of the adjacent alley.
26. The subdivider shall ensure that all onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
27. The subdivider shall re-stripe the rear and front parking spaces as shown on the TM.
28. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for building and landscape improvements (Land Development Code Sections 144.0507), to the satisfaction of the City Engineer. The parking requirements in Land Development Code Sections 144.0507 and 142.0525.a do not apply, since this project was deemed complete prior to the effective date of this ordinance (July 27, 2006).

MAPPING

29. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be

the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).

30. "California Coordinate System means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
31. Every Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.
32. The design of the subdivision shall include private easements, if any, serving parcels of land outside the subdivision boundary or such easements must be removed from the title of the subdivided lands prior to filing any parcel or final map encumbered by these easements.

SEWER AND WATER

33. Water and Sewer Requirements:
 - a. The subdivider shall install appropriate private back flow prevention devices on all existing and proposed water services (domestic, irrigation, and fire) adjacent to the project site in a manner satisfactory to the Water Department Director.
 - b. The subdivider shall provide a letter, agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.

INFORMATION:

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party, on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within 90 days of the approval of this Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF
SAN DIEGO, CALIFORNIA, ON AUGUST 30, 2007, BY RESOLUTION NO. ____ -
PC.

By

Glenn R. Gargas
Development Project Manager
Development Services Department

Job Order No. 42-5094

Rev 3/7/05 dcj

PACIFIC BEACH COMMUNITY PLANNING COMMITTEE
April 26, 2006 Meeting Minutes

Members Present:

Katie Cooper	Chris Fuller	Jim Lester	Mark Mitchell
Jim Morrison	Ben Nicholls	Marcie Beckett	Catherine Strolein
Barry Schneider	Kathy Evans	William Heilmann	John Shannon
Jenton Price	Carol Blomstrom	Kathy Mateer	

Call to Order, Quorum, Minutes, and Agenda

The meeting was called to order at 6:30 PM. A quorum was established.

- Motion (C. Strolein/ J. Lester): approve minutes for March 22nd meeting. Motion carried with all in favor.

Residential subcommittee Item number 9, referring to 825 Missouri Street was continued.

- Motion (B. Schneider/ C. Strolein): adopt revised agenda. The motion passed unanimously.

Communications from the Public (non agenda items): None

Government Office Reports

A. Stanley from Council District 2 reported that the Beach Area Community Court hosted its first Impact Panel Volunteer Training on 4/ 25. She reported that the first court session would occur on 5/13. She solicited volunteers. She reported on city activities during the PB Block Party date. She also reported that a community cleanup day would occur on 4/29 and that Councilmember Faulconer would attend. She answered several questions regarding directional painting on the boardwalk and the status of the lifeguard tower.

City Planner- Marlon Pangilinan:

M. Pangilinan reported that a training was occurring for new committee members on 4/29. There was some discussion regarding which committee members had taken the trainings.

Chair's Report – Mark Mitchell:

M. Mitchell conducted the officer elections.

- Motion: (C. Blomstrom/ C. Strolein): Elect M. Mitchell as PBGPC Chair. The motion was endorsed by all members.
- Motion: (C. Blomstrom/ B. Schneider): Elect C. Strolein as PBCPC vice Chair. The motion was endorsed by all.
- Motion: (C. Blomstrom/ K. Mateer): Elect B. Nicholls as Recording Secretary. The motion was endorsed by all.

M. Mitchell reported that anyone interested in appointed positions communicate their interest to him for appointment at the next meeting.

B. Nicholls reported that J. Shannon had not received sufficient votes during the election to be seated. Subsequently another application had been received for that slot.

- Motion (C. Blomstrom/ B. Schneider): To receive J. Shannon's application for vacant residential 80.01 board position. The motion passed with all in favor.

Residential Subcommittee Report – Barry Schneider:

1. 1333 Reed Avenue #85426 CDP to construct a two story garage and workshop.

The subcommittee had expressed a desire that the two structures be tied together stylistically and the group expressed concern that the 'workshop' would become an illegal bedroom over time.

- Motion (B. Schneider/ M. Beckett): approve the project with the condition that the bathroom facilities be limited to those shown in the plan. The motion passed unanimously.

- **2. 1501 Chalcedony Street #90566 CDP and TMW to convert 4 existing residential units to condominiums. &**
- **3. 1509 Chalcedony Street #90571 CDP and TMW to convert 4 existing residential units to condominiums.**

The subcommittee had reported issues regarding providing additional parking. However it was reported by the applicant that adding another parking space within the project would result in the loss of one on the street. The committee's concerns regarding the location of trashcans were pacified when the applicant illustrated the location of a trash enclosures.

- Motion (B. Schneider/ Jim Lester): approve the project providing the trash enclosures illustrated were included. The motion passed (14 /1):.

4. 1117 Feldspar Street #94366 CDP & TM to create 4 residential condominiums under construction. & 5. 1125 Feldspar Street #94859 CDP & TM to create 4 residential condominiums under construction.

The subcommittee expressed a concern about cedar wood fencing.

- Motion (B. Schneider /J. Lester): approve the project with the condition that a three foot iron fence be included as discussed. The motion carried (14 /1):.

6. 1244 Oliver Ave. #81316 CDP and TM to convert 9 existing residential units to condominiums.

The subcommittee discussion had centered on concerns about the trash enclosure.

- Motion (B. Schneider/ J. Lester): approve the project with the stipulation that the trash enclosures be included. The motion carried with all hands in favor.

7. 901 Sapphire Street #84320 CDP and TM to convert 10 existing residential units to condominiums.

The subcommittee reported that the map needed to be updated to illustrate trash enclosures and corrected unit counts.

- Motion (B. Schneider/ C. Strolein): was made to approve the project. The motion carried (14 /1):.

8. 835 Thomas Ave. #84312 CDP and TM to convert 11 existing residential units to condominiums.

The subcommittee reported that the 11th parking space should be reconfigured to better accept access for emergency vehicles and that trash enclosures should be clearly called out.

- Motion (B. Schneider/ J. Lester): was made to approve the project. The motion carried (13 / 2):.

The Residential Subcommittee report concluded.

Commercial Subcommittee report – B. Nicholls

1. 4767 Missouri Street #94959 add 3 wireless antennas and equipment to an existing rooftop penthouse.

The correct address for this project was reported as 4767 Ocean Blvd.

- Motion (B. Nicholls/ C. Blomstrom): Endorse the project. The motion carried (14/1):.

2. 2088 Beryl Street #95949 NUP for two new 30 feet high light standards supporting antennas

The subcommittee reported that a discussion had occurred regarding the proximity of radio towers to a school and whether the tower should be painted to match the surrounding tree or be designed to look like a tree.

- Motion (B. Nicholls/ C. Blomstrom): Endorse the project with the stipulation that the tower simply be painted to look like a tree. The motion carried (10/5):.

3. 4105 Mission Blvd. #41256 CDP to demolish and existing building and construct 18 residential units over commercial (resubmittal):.

M. Beckett reported that the project was moving forward and that input was required for a Negative Mitigated Declaration. She stated that the project would reach the Planning Commission in June. M. Beckett summarized the previous objections to the project.

- Motion (M. Beckett/ C. Blomstrom): "The chair is authorized to send a written response to the NMD for #41256 that will convey previously established concerns of the project and a representative shall be sent to all public hearings to convey the committee position regarding said project ". The motion passed with all in favor.

4. 2830 Grand Ave. #4977 – Convenience Store with application for liquor license.

It was reported that this project was moving forward and that the opinion of the committee was being misrepresented. The previous vote of support for this project had been based on no alcohol use being included. The project now included alcohol sales. A Strolein gave an enthusiastic presentation regarding this project.

- Motion (Jim Lester/ B. Schneider): Reconsider the project. The motion carried with all hands in favor.



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit
☐ Variance ☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment ☐ Other _____

Project Title

1244 Oliver Ave. Condominium Conversion

Project No. For City Use Only

81316

Project Address:

1244 Oliver Ave.

Part 1: To be completed when property is held by individuals

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached ☐ Yes ☒ No

Name of Individual (type or print):

WILLIAM G. CLARKE

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

13945 PROCTOR VALLEY RD.

City/State/Zip:

JAMUL CA. 91935

Phone No:

619 669 1706, 619 669 1315

Fax No:

Signature:

William G. Clarke 7-11-05

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

JOANE E. CLARKE

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

13945 PROCTOR VALLEY RD.

City/State/Zip:

JAMUL CA. 91935

Phone No:

619 669 1706, 619 669 1715

Fax No:

Signature:

Joane E. Clarke 7-11-05

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

NOTE #1 OWNERS ARE CO-TRUSTEES OF THE CLARKE TRUST DATED NOV. 12, 1991

NOTE #2 ALL MAIL SHALL BE SENT TO P.O. BOX 549
JAMUL CA. 91935

1244 OLIVER TENTATIVE MAP
 COASTAL DEVELOPMENT PERMIT & TENTATIVE MAP
 Project No. 81316
 Project Chronology

Date	Action	Description	City Review Time	Applicant Response
9/28/05	Applicant submits initial plans/Deemed Complete	Project plans distributed for City staff review.	1 day	
11/07/05	First Assessment Letter	First Assessment Letter identifying required approvals and outstanding issues provided to applicant.	1 Month 9 days	
1/23/06	Applicant submits second full set of plans.	Applicant's revised set of plans submitted in response to first assessment letter from City staff.		3 Months 6 days
03/28/06	Second Assessment Letter	Second Assessment Letter identifying all remaining/outstanding issues.	2 Month 5 days	
2/22/07	Issues resolved	Staff determines project issues resolved, okay Process 4 Planning Commission hearing to proceed.		9 Months 24 days
08/30/07	Planning Commission Hearing	Public Hearing	6 Month 8 days	
TOTAL STAFF TIME		Averaged at 30 days per month	9 Months 22 Days	
TOTAL APPLICANT TIME		Averaged at 30 days per month		13 Months 0 Days
TOTAL PROJECT RUNNING TIME			22 Months, 22 Days	



Good Neighbors

San Diego Housing Commission

ATTACHMENT 12

- 1625 Newton Avenue
- San Diego, California 92113-1038
- 619/578-7580
- FAX: 619/578-7356
- www.sdhc.net

January 30, 2007

Mr. William Clarke
P.O. Box 549
Jamul, CA 91935

SUBJECT: Coastal Affordable Housing Compliance Permit, 1244 Oliver Avenue,
PTS #81316

Dear Mr. Clarke:

The purpose of this letter is to notify you of the Coastal Affordable Housing Compliance Permit Determination for your proposed conversion of nine apartments to condominiums at 1244 Oliver Avenue.

Upon receipt of your application, Housing Commission staff carried out an income survey of the nine units. The tenant income survey identified **four studios occupied by low-income persons and one studio occupied by moderate-income persons.**

Pursuant to the City's Coastal Overlay Zone Affordable Housing Replacement Regulations (Municipal Code Sections 143.0810 through 143.0860), we are notifying you of the results of this tenant income survey and your obligation to provide four studio replacement units with rents affordable to low-income households and one studio unit with rents affordable to moderate-income households for a period of five years. Alternatively, you may pay an in-lieu fee to the Housing Commission.

If you propose to provide replacement units, those units must be acceptable to the Housing Commission, consistent with the Municipal Code sections cited above. Affordable housing costs and affordable rents shall meet the requirements of California Health and Safety Code Sections 50052.5 and 50053.

If you propose instead to pay an in-lieu fee, your obligation under the current in-lieu fee schedule would be as follows:

Unit Size	Income Category	Number of Replacement Units	In-Lieu Fee	Total
Studio	Low-income	4	\$31,100	\$124,400
Studio	Moderate-Income	1	\$20,700	\$20,700
TOTAL		5		\$145,100

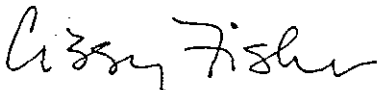


Mr. William Clarke
January 30, 2007
Page 2

Please note that the in-lieu fee schedule is subject to change, and the amount you would be required to pay will depend on the fee schedule in place at the time the Coastal in-lieu fee is due and payable.

When you have decided whether to provide replacement units or to pay the in-lieu fee, please notify Ms. Ann Kern of your decision **in writing**. She can be reached at 619-578-7582 or via e-mail at annk@sdhc.org

Sincerely,

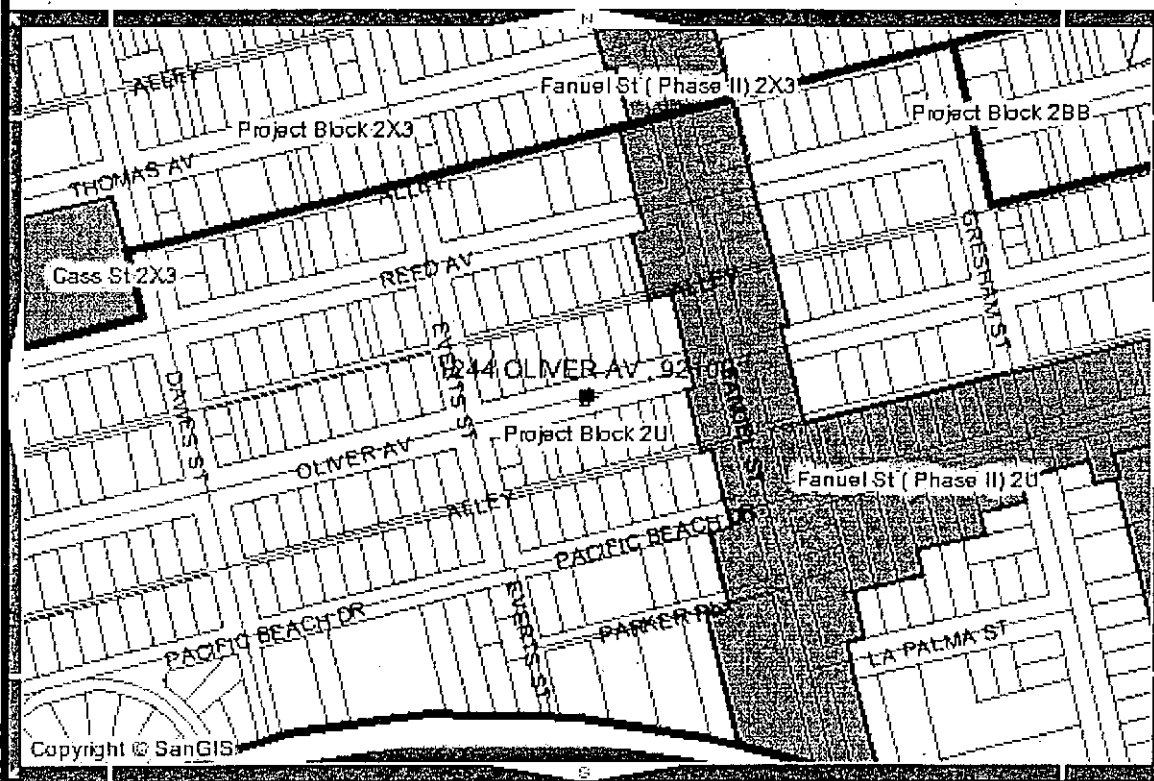


Cissy Fisher
Director, Housing Finance & Development

c: Ann Kern, San Diego Housing Commission
Glenn Gargas, City of San Diego Development Services, MS501
Robert Bateman, San Diego Land Surveying & Engineering

g:\hfshare\coastal\1244 Oliver Avenue \1244 Oliver Determination Ltr

Utilities Undergrounding Mapping Application



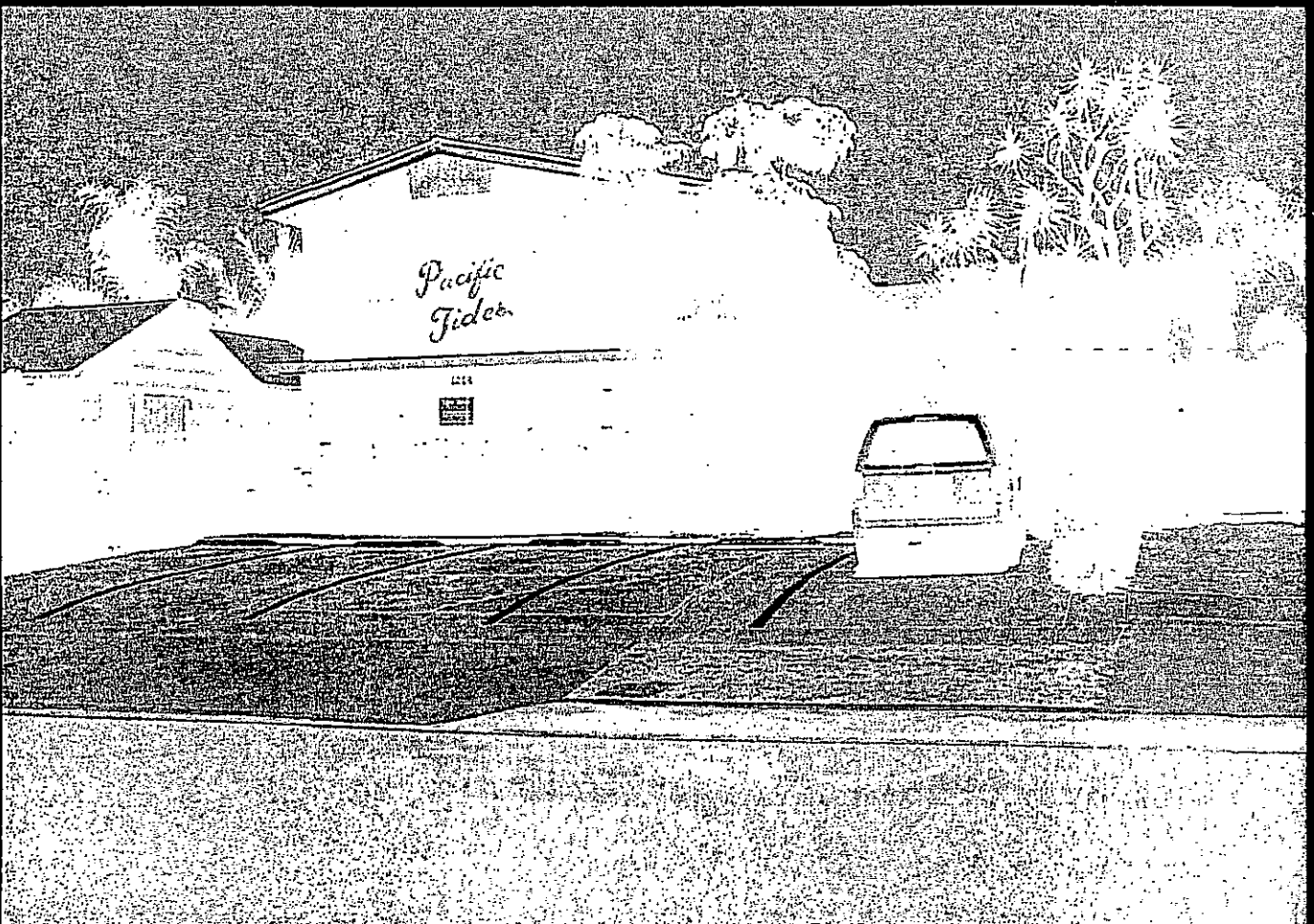
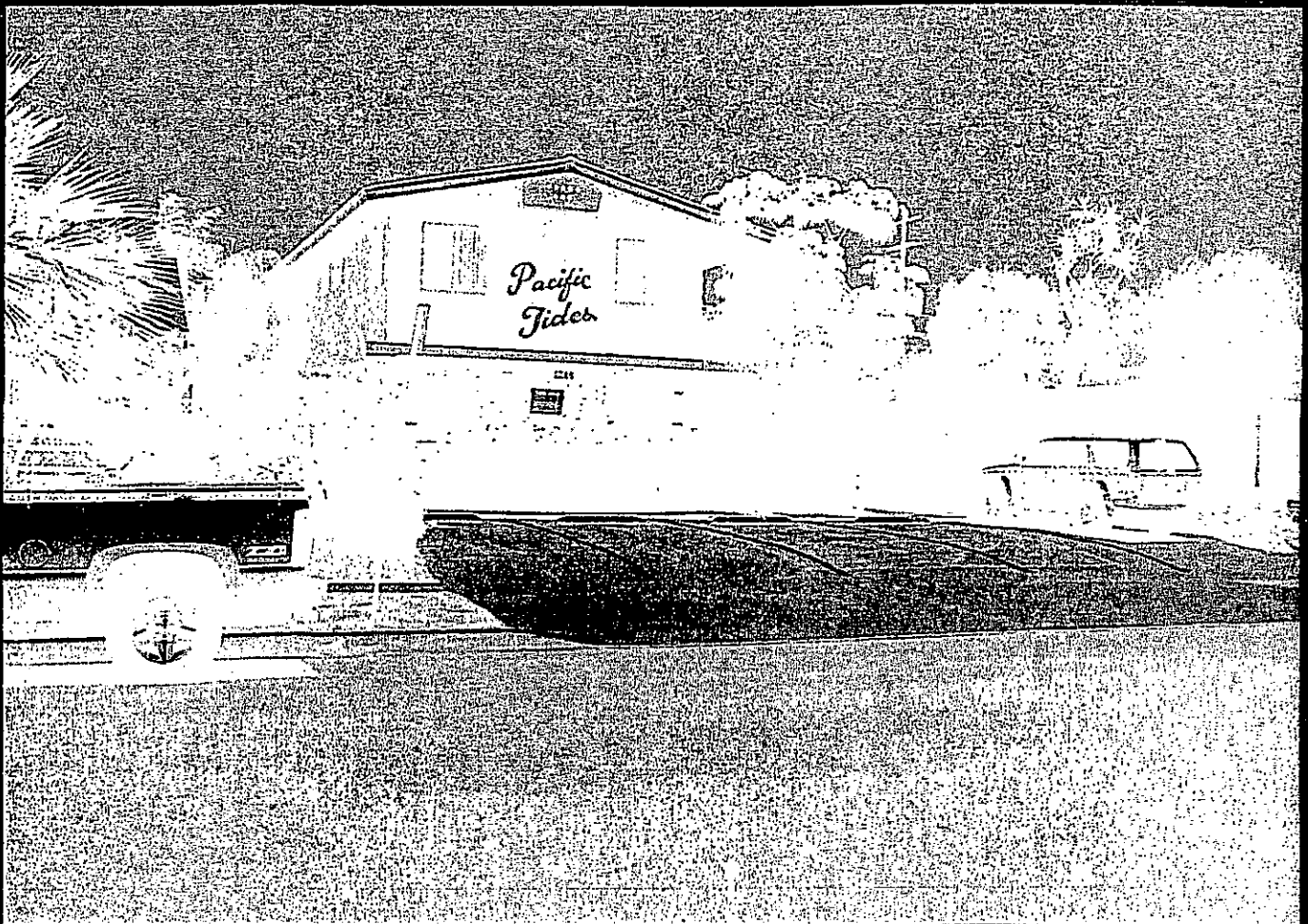
Identify Results

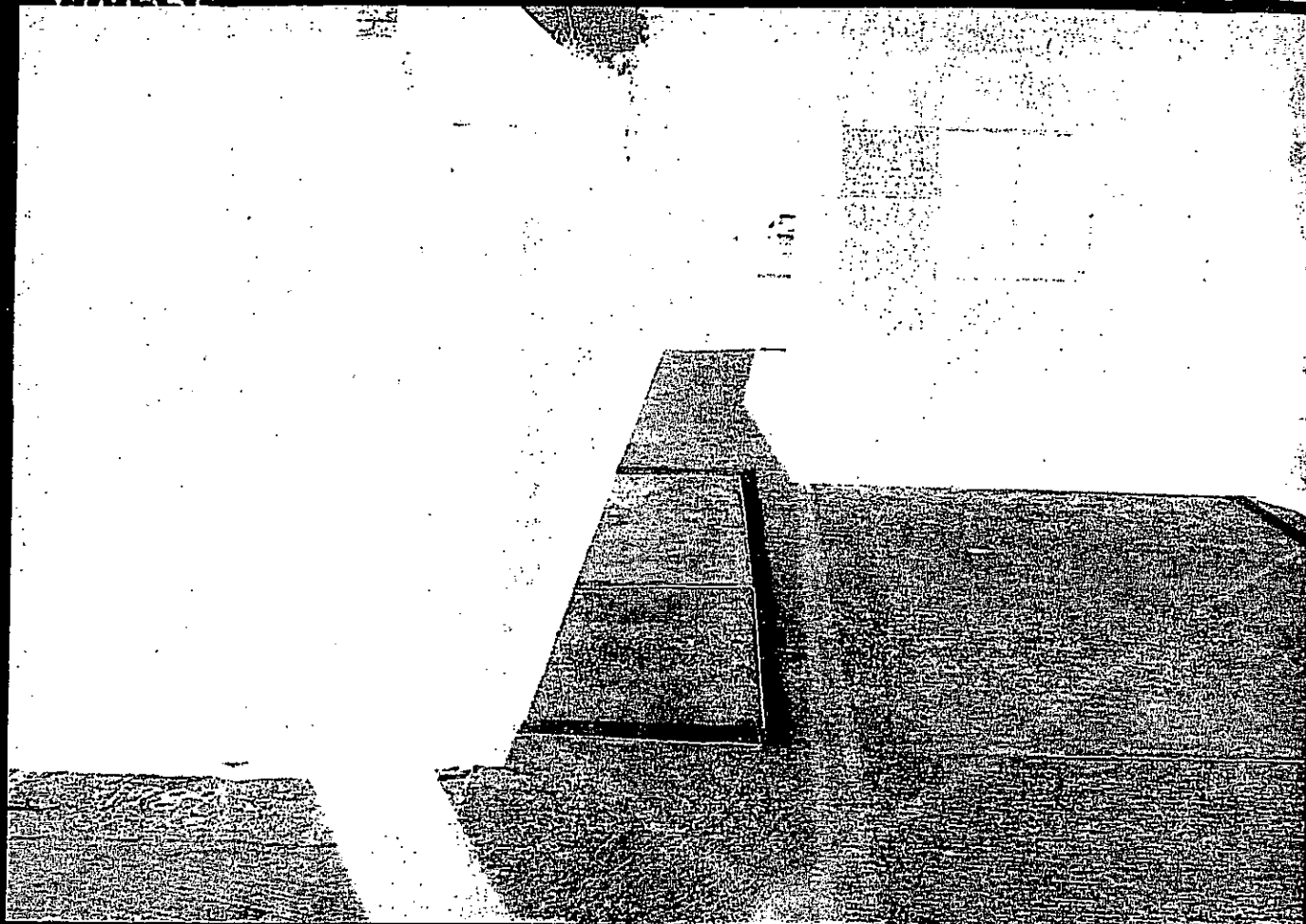
Council Districts

Council District: 2
 Member Name: Kevin Faulconer
 Office Phone: (619) 236-6622

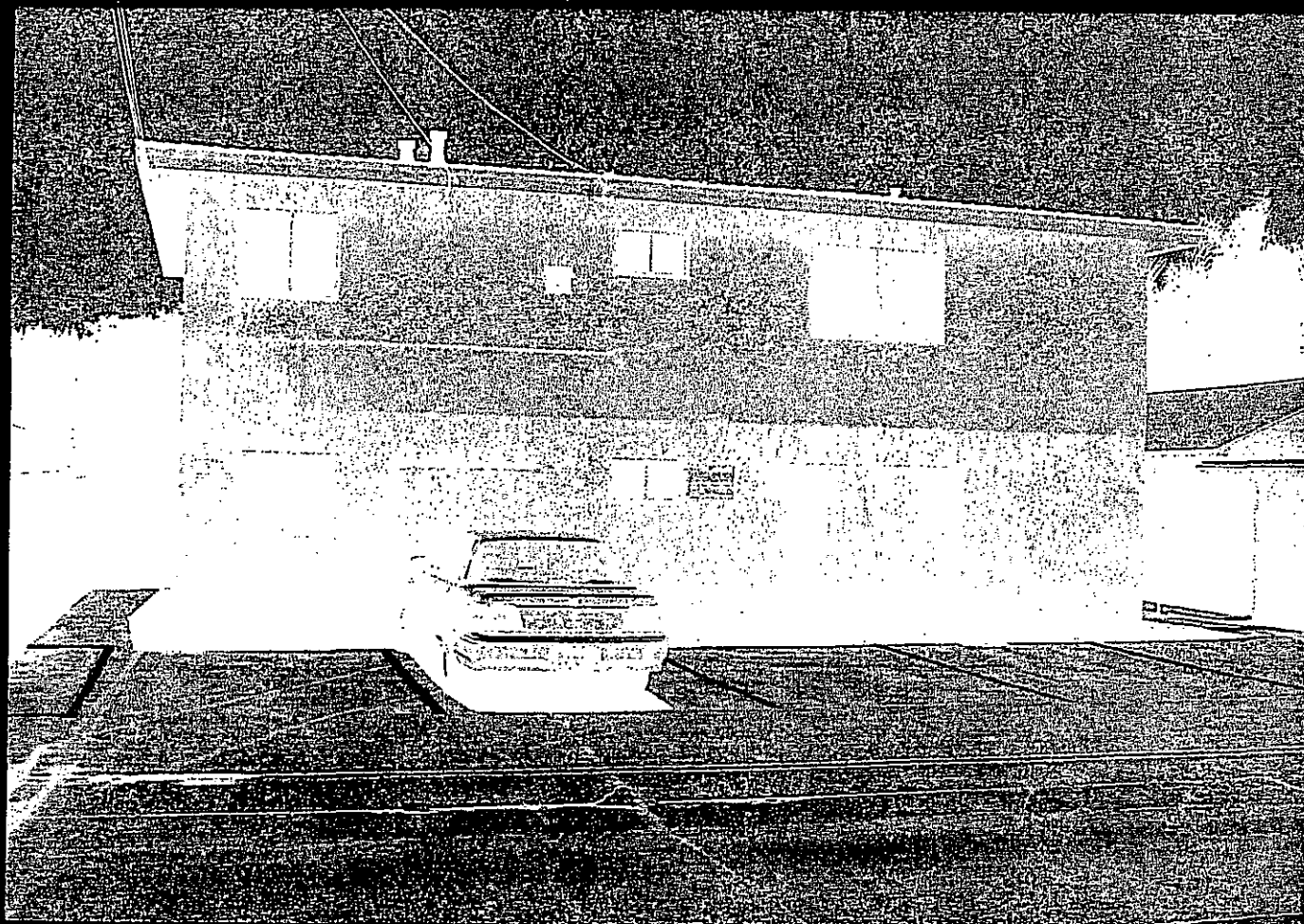
Utilities Undergrounding Projects

Project Name: Project Block 2U
 Year Allocated: 2045
 Project Start: May 31, 2047
 Project End: May 30, 2049
 Contact Person: Carol Drummond
 Phone #: 6195333841
 Email: undergrounding@sa
 Website: www.sandiego.gov,
 Council District: 2
 Phase: unallocated





7



8



**Building Condition Report
Analysis and Executive Summary
July 10, 2007
Version 1**

The subject property is a residential complex located at 1244 Oliver San Diego, Ca 92109. The development consists of one, two level building with nine total living units, and nine marked uncovered.

This report consists of three sections, the analysis and executive summary section, the licensed building inspectors detailed findings and photographs and the structural engineers report and findings.

Detailed inspections and reports were performed by Edward J. Vargas, State of California Registered Professional Engineer, C41205, and Mike Goodrich State Of Arizona Certified Inspector, Certified Termite Inspector and Certified Residential Mold Inspector.

Every attempt has been made to ensure that the inspection and this report comply with the City Of San Diego Condominium Conversion Process Building Condition Report Ordinance. All units were inspected.

Executive Summary

The buildings, systems and grounds in this development are aged, and have some deferred maintenance. Some system upgrades are warranted but in general the development is in satisfactory condition. This development can easily be rehabilitated and converted to condominiums/living units consistent with the neighborhood's general construction quality, amenities and architectural style.



Integral Building Components Health And Safety Code Analysis

Foundation And Structure:

The buildings foundations and structures are aged but in good condition relative to their age. The lateral and vertical support members are in adequate condition.

The buildings stairs, railings, baluster, and banisters are in satisfactory condition.

Walls And Exterior Components:

Walls and exterior components are generally in satisfactory condition with normal stucco maintenance, termite damage and wood rot repairs needed.

Windows:

All windows are functional and provide adequate fire egress in sleeping areas. The windows are aged and loose in their frames replacement for age is recommended. This building uses single pane aluminum frame windows which do not meet Title 24 energy efficiency standards for this zone. All windows should be replaced with insulated dual pane windows as part of the conversion plan.

Roofs:

The roof covering is asphalt shingle roofing material. The roofing material have an apparent age of 5 years old.

With normal maintenance the roof will have a life expectancy greater than five years.

Electrical:

The electrical system does not make complete use of currently accepted safety components (GFCIs and AFCIs). The electrical system should be upgraded to include appropriate use of currently approved electrical distribution safety devices (GFCI outlets and AFCI breakers) in all locations currently required by municipal building codes. The main building is supplied by one 100 amp service and each unit has a 35 amp service. The 35 amp services will be undersized for the needs of upgraded condominiums, and will need to be upgraded to 60 to 100 amp services (depending on planned unit amenities). The upgrades to the unit service rating will require upgrades to the sizing of the 100 amp main service to the complex.

The building and living units do not meet current municipal residential building guidelines in regards to number, location, interconnection and installation of smoke detectors. Smoke detector system upgrades are required.

**Plumbing:**

The natural gas supply system does not include emergency manual or automatic seismic shutoff valves. As a minimum a manual emergency seismic shutoff valve/wrench should be installed.

The water supply plumbing is copper and appears to be in adequate condition.

Mechanical:

Living units are not equipped with cooling systems.

Living units are equipped with approximately 10 year old gas wall furnaces which were in satisfactory condition at the time of the inspection. These units will have a remaining useful life in excess of five years with normal maintenance...

Paving And Drainage:

Concrete drives are in adequate condition. Drives need to be patched and resurfaced. Walks are worn and in need of resurfacing along with some repairs for safety. With repairs, crack patching, sealing and resurfacing the concrete drives and walks will have a remaining useful in excess of five years.

Parking And Recreational Facilities Analysis:

Landscaping is consistent with the neighborhood. Ten (10) marked uncovered spaces are provided at the North and South ends of the building. No recreational facilities are provided.

Energy Efficiency Standards Compliance Analysis:

Due to the age and construction style using non-invasive inspection techniques it was impossible to determine certain aspects of energy efficiency (wall insulation R factor for example). Windows do not currently meet the Title 24 energy efficiency standards for the zone. There is no attic insulation. The following recommendations are made:

1. Windows should be replaced with windows meeting Title 24 energy efficiency standards for this zone.
2. Insulation and a vapor barrier should be added to the attic consistent with current municipal standards.



Integral Building Components Remaining Useful Life Analysis:

Roofs:

The main roof is approximately five years old. With normal maintenance the roof will have a remaining useful life in excess of five years. .

Water Heating:

Water heating is provided by a common 75 gallon gas water heater. The water heater is fifteen years old. Normal water heater life expectancy is 8 to 12 years. The water heater will need to be replaced to obtain a useful life in excess of five years

Cooling And Heating Mechanical:

The natural convection gas wall furnaces are approximately then years old and have a remaining useful life in excess of five years.

Exterior Floor Coatings:

Exterior walks, balconies and stair treads are finished concrete. Exterior concrete is in a worn condition but with minor crack filling and resurfacing the exterior floor coatings will have a remaining useful life in excess of five (5) years.

Foundation And Structure:

The buildings foundations and structures are aged but in good condition relative to their age. The lateral and vertical support members are in adequate condition. The buildings stairs, railings, baluster, and banisters are in satisfactory condition. All these components have a remaining useful life well in excess of five years.

Disabled Access Analysis:

No provisions for disabled access are currently available in this project. No ADA parking spaces are provided.

Sound Transmission Analysis:

This building does not meet the current municipal sound transmission standards.



Actions To Ensure Safe And Efficient Operation Of Plumbing, Heating, Electrical and Roofing Systems:

Developer intends to take the following actions in regards to the future safe and

efficient operation of these important major building systems:

1. Upgrade electrical system to include installation of GFCIs and AFCIs in all required locations.
2. Upgrade unit and complex electrical services to meet the needs of modern condominium appliances.
3. Smoke detectors will be upgraded and installed consistent with current municipal residential building guidelines. This includes 120VAC, battery backed up and interconnected with all other smoke detectors in the building.
4. A manual seismic emergency shutoff will be installed in the natural gas supply system.
5. Aged water heater pump will be replaced.
6. Windows will be replaced with dual pane insulated windows..

Proposed Structural Changes And Cosmetic Improvements:

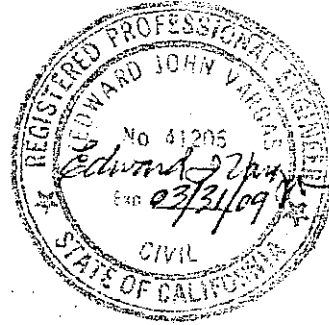
There are no planned general structural or façade enhancements.

**Report Approval:**

Executive Summary, Structural Report And Detailed Inspection Report
Reviewed And Approved:

A handwritten signature in cursive script that reads 'Edward J. Vargas'.

Edward J. Vargas
President Vargas Engineers
State Of California Licensed P.E. C41205



Michael P. Goodrich
Professional Associate
LandAmerica Assessment Corporation
ASHI Certified Home Inspector
State Of Arizona Certified Home Inspector
State Of Arizona Certified Wood Destroying Insect Inspector
IESO Certified Residential Mold Inspector

000563

335
1/15

City of San Diego
Development Services
1222 First Ave. 3rd Floor
San Diego, CA 92101
(619) 446-5210

RECEIVED

Development Permit/ Environmental Determination Appeal Application

DS-3031

MARCH 2007

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:

- ☐ Process Two Decision - Appeal to Planning Commission
☐ Process Three Decision - Appeal to Planning Commission
☒ Process Four Decision - Appeal to City Council
☐ Environmental Determination - Appeal to City Council
☐ Appeal of a Hearing Officer Decision to revoke a permit

2. Appellant Please check one ☐ Applicant ☐ Officially recognized Planning Committee ☒ "Interested Person" (Per M.C. Sec. 113.0103)

Name
Robert J. Bateman, San Diego Land Surveying & Engineering, Inc.

Address
9665 Chesapeake Dr., Suite 445 San Diego City State Zip Code Telephone
CA 92123 858-565-8362 ext. 101

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

William G. Clarke

4. Project Information

Permit/Environmental Determination & Permit/Document No.: PTS NO. 81316	Date of Decision/Determination: September 27, 2007	City Project Manager: Glenn Gargas
--	---	---------------------------------------

Decision (describe the permit/approval decision):

Approved by Planning Commission

5. Grounds for Appeal (Please check all that apply)

- ☐ Factual Error (Process Three and Four decisions only)
☒ Conflict with other matters (Process Three and Four decisions only)
☒ Findings Not Supported (Process Three and Four decisions only)
☐ New Information (Process Three and Four decisions only)
☐ City-wide Significance (Process Four decisions only)

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

This project was deemed complete in September of 2005

Requirements for Building Condition Reports, Landscaping Plans and Mandatory Private Improvements prior to Final Map

approval were not required or anticipated. Owner has plans to hold the property long-term and does not wish to evict

tenants to complete work for Final Map approval within 6 years.

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: Robert J. Bateman Date: 10-11-07

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.
Upon request, this information is available in alternative formats for persons with disabilities.

DS-3031(03-07)

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: August 23, 2007 REPORT NO.: PC-07-094
ATTENTION: Council President and City Council
ORIGINATING DEPARTMENT: Development Services Department
SUBJECT: 1244 Oliver Tentative Map, PTS No. 81316
COUNCIL DISTRICT: 2
STAFF CONTACT: Glenn Gargas, 446-5142, ggargas@sandiego.gov

REQUESTED ACTION:

Appeal of the Planning Commission's decision to approve a Coastal Development Permit, Tentative Map and waiver from the requirement to underground existing overhead utilities to convert nine existing apartments to condominiums at 1244 Oliver Avenue within the Pacific Beach Community Plan area. The applicant is appealing the Tentative Map condition requiring that the physical improvements recommended in the Building Conditions Report be completed prior to the Final Map.

STAFF RECOMMENDATION:

Deny the appeal and approve Coastal Development Permit No. 457937, Tentative Map No. 254536 and waive requirement to underground existing overhead utilities, with the current Tentative Map conditions requiring implementation of the Building Conditions Report and Landscape Concept Plan, prior to recordation of the of the Final Map.

EXECUTIVE SUMMARY:

The application for a Coastal Development Permit, Tentative Map and waiver from the requirement to underground existing overhead utilities was deemed complete on September 28, 2005. At that time, the condominium conversion regulations did not require a Building Conditions Report or landscape improvements. The environmental determination for this project was made on October 11, 2005, and the opportunity to appeal that determination expired on October 25, 2005.

This project's environmental determination was not appealed and thus the new condominium conversion regulations approved by City Council on July 5, 2006, which became effective in the Coastal Zone on June 14, 2007, are applicable to this project. In accordance with the current regulations, the applicant provided a Building Conditions Report and Landscape Concept Plan. Both of these documents have been reviewed for conformance with the applicable regulations within the Land Development Code (Chapter 14, Article 4, Division 5), and have been accepted by staff as conforming to the regulations.

On September 27, 2007, (Continued from August 30, 2007) the Planning Commission approved the project with a condition (condition No. 28 of the Tentative Map, Attachment 8, page 7 of the Planning Commission Report) requiring building and landscape improvements which are required to be completed prior to recordation of the Final Map. The appellant is objecting to this condition for the following reasons as stated in their appeal with staff responses in italics;

- 1) The project was deemed complete in September of 2005.

That statement is true. However, the Condominium Conversion regulations were amended by City Council on July 5, 2006, which became effective in the Coastal Zone on June 14, 2007, making the new requirements applicable to this project.

- 2) Requirements for Building Conditions Reports, Landscaping Plans and Mandatory Improvements prior to Final Map approval were not required or anticipated.

That statement was true at the time this project was deemed complete. However, the amendment to the Condominium Conversion regulations added those requirements.

- 3) Owner has plans to hold the property long-term and does not wish to evict tenants to complete work for Final Map approval within three years.

How the physical improvements are phased or completed is the responsibility and prerogative of the property owner, provided that the owner complies with Tenants rights under the law and the criteria established by the San Diego Housing Commission. With physical improvements and or building maintenance to any building with existing tenants there will almost always be some degree of inconvenience to the tenants.

City staff's recommendation is to deny the appeal and approve the project with the approved Tentative Map conditions.

FISCAL CONSIDERATIONS:

All costs associated with the processing of this project are paid by the applicant.

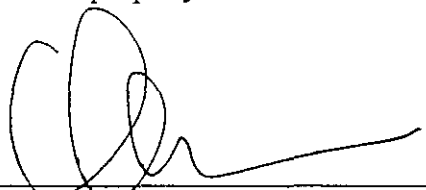
COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

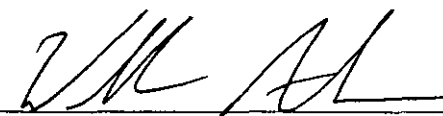
On September 27, 2007, the Planning Commission voted 5-1-0 to approve the project with added conditions.

On April 26, 2006, the Pacific Beach Community Planning Group voted 15-0-0 to approve the project.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Owner and Applicant William G. Clarke and Joanne E. Clarke, Co-Trustees of the Clarke Trust and the property's tenants.


 Kelly Broughton
 Director
 Development Services Department


 William Anderson
 Deputy Chief of Land Use and
 Economic Development

ATTACHMENTS:

1. Planning Commission Report PC-07-095

000567

2. Planning Commission Meeting Minutes (September 27, 2007)
3. Building Conditions Report, dated July 10, 2007
4. Determination of CEQA
5. Appeal to the City Council, dated October 11, 2007



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: August 23, 2007 **REPORT NO.** PC-07-094

ATTENTION: Planning Commission, Agenda of August 30, 2007

SUBJECT: 1244 OLIVER TENTATIVE MAP - PROJECT NO. 81316. PROCESS 4

**OWNER/
APPLICANT:** Mr. William G. Clarke Family Trust

SUMMARY

Issue(s): Should the Planning Commission approve a Coastal Development Permit and Tentative Map to convert nine existing apartment units into residential condominiums located at 1244 Oliver Avenue, with a request to waive the requirement to underground existing overhead utilities?

Staff Recommendation:

1. APPROVE Coastal Development Permit No. 457937; and
2. APPROVE Tentative Map No. 254536 and the request to waive the requirement to underground existing overhead utilities.

Community Planning Group Recommendation: On April 26, 2006, the Pacific Beach Community Planning Committee voted 15-0-0 to recommend approval of the proposed project with a stipulation that a new trash enclosure be added to the site.

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, 15301 (k), as "Existing Facilities". This project is not pending an appeal of the environmental determination. The exemption determination for this project was made on October 11, 2005; and the opportunity to appeal that determination ended on October 25, 2005.

Fiscal Impact Statement: All costs associated with processing of this application are paid for by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: The proposed project is the conversion of nine existing apartment units into condominiums. There would be a loss of nine rental units and a gain of nine for-sale units. This Tentative Map project is required to comply with the inclusionary housing requirements and tenant relocation assistance program, which are conditions of the proposed Tentative Map (Attachment 8).

BACKGROUND

The 6,245 square foot site is located at 1244 Oliver Avenue in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable) and Coastal Height Overlay Zone. The development is located on two parcels and designated Multi-Family Residential by, and located within, the Pacific Beach Community Plan area (Attachment 2). The surrounding area is developed with multi-family and some intermittent single family development. The proposed subdivision constitutes, by definition, Coastal Development, which pursuant to the Land Development Code (Section 126.0702) requires a Coastal Development Permit. A Tentative Map is required, by the Land Development Code (Section 125.0410), for the proposed division of the property into nine residential condominium dwelling units.

The existing development is a two-story, nine dwelling unit apartment building that was constructed in 1958. At the time the property was developed the approved construction met all the current regulations. The apartment building includes eight, studio units and one, one-bedroom unit, ranging in size from approximately 400 square feet to 690 square feet each. The original development provided ten parking spaces, five accessible from Oliver Avenue and five accessible from the alley to the north.

No Building or Zoning Code violations are recorded against the property. The project has previously conforming rights to be maintained as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code. If this property was undeveloped today, under the current RM-1-1 Zone development regulations, up to two residential dwelling units could be developed.

DISCUSSION

Project Description:

The project proposes to convert the existing residential complex, of nine residential apartments, into nine residential condominium dwelling units. Utilities are located above ground in the right-of-way of the alley at the rear of the property, north of Oliver Avenue and east of Everts Street. The apartment building was constructed in 1958 and consists of a two-story, concrete, wood siding and brick veneer. The project has a total of ten off-street parking spaces, five accessible from Oliver Avenue and five accessible from the alley. During the project's review, City Staff determined that the existing structure was in conformance with the development codes in effect at the time of construction.

Undergrounding Waiver Request:

The project site is located in Block 2-U of the City's Undergrounding Master Plan and is scheduled for undergrounding to start May 31, 2047 (Attachment 13). San Diego Municipal Code Section 144.0240, allows the subdivider to apply for a waiver of the requirement to underground the existing overhead utilities within the boundary of the subdivision, or within the abutting public rights-of-way. City staff has determined the undergrounding waiver request qualifies under the Guidelines of Council Policy 600-25, *Undergrounding Conversion of Utility Lines at the Developers Expense*; in that it involves a short span of under 600-feet, would not represent a logical extension to an undergrounding facility and is a condominium conversion application. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision and all onsite utilities serving the subdivision will be undergrounded as a condition of the Tentative Map (Attachment 8). If the requested waiver of undergrounding is not approved, the applicant would have to add one additional power pole, at the north west corner of the property along the alley.

Project-Related Issues:

All condominium conversion projects deemed complete on or after February 7, 2004, must conform to the regulations regarding Inclusionary Housing, Coastal Affordable Housing and Tenant Relocation Benefits adopted by the City Council on March 15, 2004. Conditions Nos. 11, and 12 of the draft Tentative Map Resolution (Attachment 8) require compliance with this ordinance. In order to meet this requirement the applicant has elected to pay the in-lieu fee for Coastal Affordable Housing, which is calculated to be \$145,100.00.

Building Conditions Report and Landscape Plan Requirements:

In accordance with the current regulations, the applicant provided a Building Conditions Report and Landscape Concept Plan. Both of these documents have been reviewed for conformance with the applicable regulations within the Land Development Code (Chapter 14, Article 4, Division 5) and have been accepted by staff as conforming with the regulations (Attachment 15).

Conclusion:

A Coastal Development Permit, Tentative Map and Waiver of Undergrounding for a Condominium Conversion are a Process Four, Planning Commission decision pursuant to San Diego Municipal Code Sections 126.045 and 125.0430. A Tentative Map for Condominium Conversion may be approved if the decision maker finds that the proposed division of land complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed condominium conversion and found it to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and land use policies. Staff has determined that the required findings can be made as the project meets the applicable San Diego Municipal Code regulations and requirements. Staff recommends approval of the project as proposed.

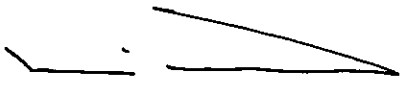
The project site is located within the Coastal Overlay Zone and recently became subject to new

condominium conversion regulations adopted by the City Council on June 13, 2006, when the California Coastal Commission certified them on June 14, 2007.

ALTERNATIVES

1. Approve Coastal Development Permit No. 457937 and Tentative Map with Waiver of Undergrounding No. 254536, with modifications.
2. Deny Coastal Development Permit No. 457937 and Tentative Map with Waiver of Undergrounding No. 254536, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

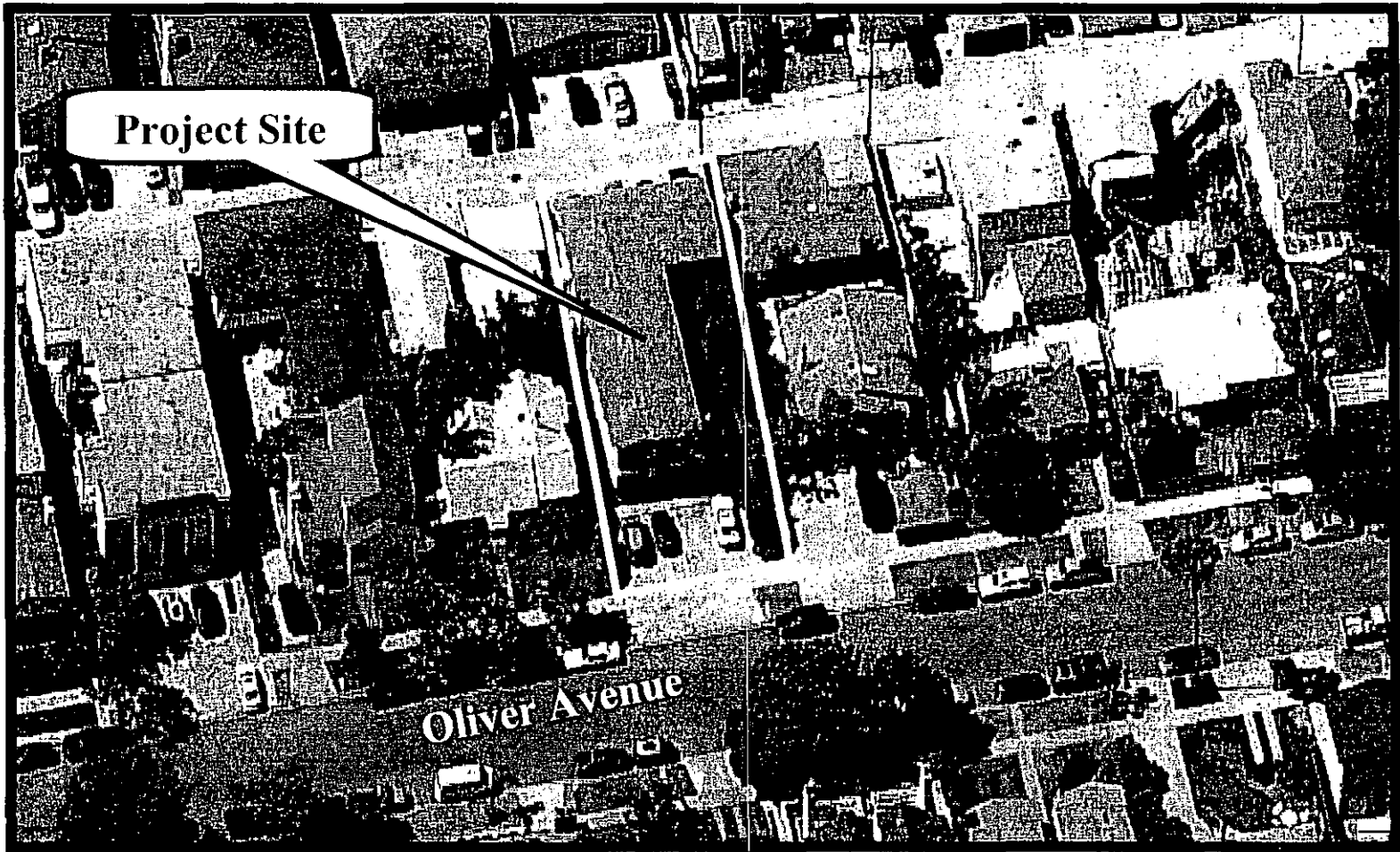


Mike Westlake
Program Manager
Development Services Department

Glenn Gargas
Project Manager
Development Services Department

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan/Tentative Map
6. Draft CDP Permit
7. Draft CDP Resolution
8. Draft Tentative Map Conditions and Subdivision Resolution
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Project Chronology
12. Housing Commission Letter - Coastal Affordable Housing Compliance
13. Proposed Undergrounding of Overhead Utilities
14. Photos of Existing Front and Rear Elevations
15. Building Conditions Report

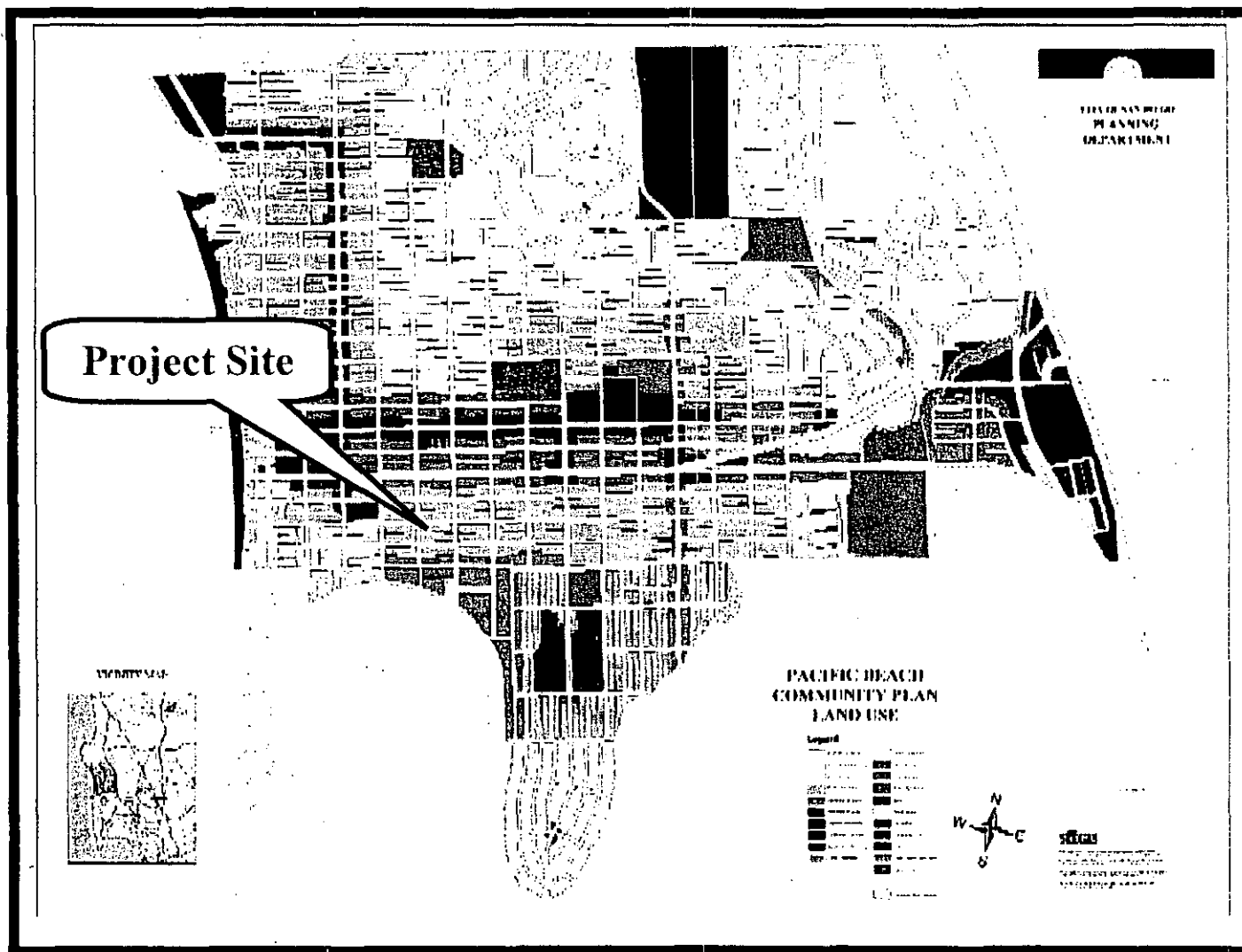


Aerial Photo

1244 OLIVER TENTATIVE MAP - 1244 OLIVER AVENUE

PROJECT NO. 81316



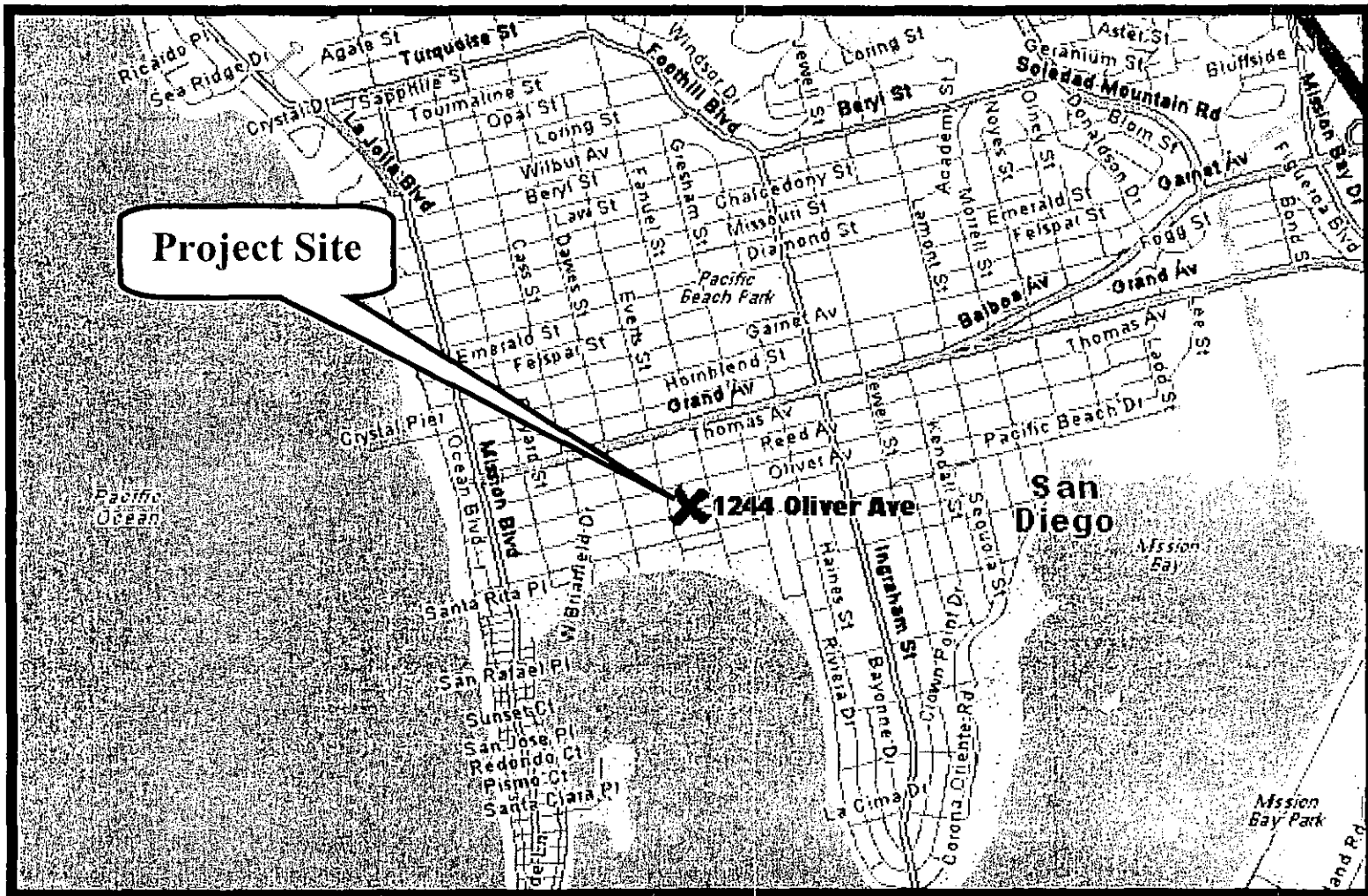


Land Use Map

1244 OLIVER TENTATIVE MAP – 1244 OLIVER AVENUE

PROJECT NO. 81316 – PACIFIC BEACH CPG





Project Location Map

1244 OLIVER TENTATIVE MAP – 1244 OLIVER AVENUE
PROJECT NO. 81316



PROJECT DATA SHEET

FOR CONDOMINIUM CONVERSIONS

PROJECT NAME:	1244 Oliver Tentative Map			
PROJECT DESCRIPTION:	Conversion of nine residential units to condominium ownership and a waiver to underground existing utilities.			
COMMUNITY PLAN AREA:	Pacific Beach Plan Area.			
DISCRETIONARY ACTIONS:	Coastal Development Permit, Tentative Map and utility underground waiver			
COMMUNITY PLAN LAND USE DESIGNATION:	Multi-Family Residential			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <u>CURRENT ZONING INFORMATION:</u> ZONE: RM-1-1: multi-family residential zone DENSITY: one dwelling unit per 3,000 sq. ft. of lot area. HEIGHT LIMIT: 30-Foot maximum height limit. LOT SIZE: 6,000 square-foot minimum lot size. FLOOR AREA RATIO: 0.75 maximum. FRONT SETBACK: 15/20 feet. SIDE SETBACK: 5/8 feet. STREETSIDE SETBACK: 10 feet. REAR SETBACK: 15 feet. PARKING: 14 spaces required </td> <td style="width: 50%; vertical-align: top;"> <u>CONSTRUCTED:</u> R-4 One unit per 400 sq. ft. of lot area 30 6,245 Square Feet 0.62 25-Feet 5-Feet NA 19-Feet 10 spaces </td> </tr> </table>			<u>CURRENT ZONING INFORMATION:</u> ZONE: RM-1-1: multi-family residential zone DENSITY: one dwelling unit per 3,000 sq. ft. of lot area. HEIGHT LIMIT: 30-Foot maximum height limit. LOT SIZE: 6,000 square-foot minimum lot size. FLOOR AREA RATIO: 0.75 maximum. FRONT SETBACK: 15/20 feet. SIDE SETBACK: 5/8 feet. STREETSIDE SETBACK: 10 feet. REAR SETBACK: 15 feet. PARKING: 14 spaces required	<u>CONSTRUCTED:</u> R-4 One unit per 400 sq. ft. of lot area 30 6,245 Square Feet 0.62 25-Feet 5-Feet NA 19-Feet 10 spaces
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<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE :	EXISTING LAND USE		
	NORTH:	Multi-Family Residential; RM-1-1. Multi-Family Residential		
	SOUTH:	Multi-Family Residential; RM-1-1. Multi-Family Residential		
	EAST:	Multi-Family Residential; RM-1-1. Multi-Family Residential		
	WEST:	Multi-Family Residential; RM-1-1. Multi-Family Residential		
DEVIATIONS OR VARIANCES REQUESTED:	None			
COMMUNITY PLANNING GROUP RECOMMENDATION:	On April 26, 2006, the Pacific Beach Community Planning Committee voted to approve the request for the Tentative Map. The motion passed 15-0-0.			

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
PERMIT INTAKE
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-5094

COASTAL DEVELOPMENT PERMIT NO. 457937
1244 OLIVER TENTATIVE MAP – PROJECT NO. 81316
PLANNING COMMISSION

This Coastal Development Permit No. 457937 is granted by the Planning Commission of the City of San Diego to William G. Clarke and Joanne E. Clarke, Co-Trustees of Clarke Trust, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0702. The 0.25¹⁴³ acre site is located at 1244 Oliver Street, in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone, within the Pacific Beach Community Planning Area. The project site is legally described as Lots 29 and 30, Block 289, Pacific Beach Subdivision of AC Lots 67, 68, 76, 77, 80 and 81, Map TR No. 946.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner /Permittee to divide an existing 9 unit apartment complex to be converted into 9 residential condominium units described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated August 30, 2007, on file in the Development Services Department.

The project or facility shall include:

- a. Division of an existing two-story, 9 unit apartment complex, into 9 residential condominium units on a 0.143 acre property;
- b. Existing Landscaping;
- c. Existing Off-street parking facilities, ten parking spaces;
- d. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Conversion of the existing units to condominium ownership must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. This Permit shall become effective with recordation of the corresponding final parcel map for and approval of the project site.
8. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable,

or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

ENGINEERING REQUIREMENTS:

9. The Coastal Development Permit shall comply with all conditions of the associated Tentative Map No. 254536 to the satisfaction of the City Engineer.

AFFORDABLE HOUSING REQUIREMENTS:

10. The Housing Commission carried out a tenant income survey pursuant to the City's Coastal Overlay Zone Affordable Housing Replacement Regulations (Municipal Code Sections 143.0810 through 143.0860). The applicant is required to pay an in-lieu fee of \$145,100.00 to the Housing Commission or provide four replacement studio units for low-income households and one replacement studio unit for moderate-income households.

The applicant shall enter into a Coastal Affordable Housing Compliance Agreement with the Housing Commission prior to the approval of Final Map.

11. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5), to the satisfaction of the City Manager and the Housing Commission.

PLANNING/DESIGN REQUIREMENTS:

12. No fewer than ten (10) off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A," on file in the Development Services Department. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

13. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

14. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for Inclusionary Housing Regulations (Chapter 14, Article 2, Division 13), to the satisfaction of the City Manager and the Housing Commission.

15. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5), to the satisfaction of the City Manager and the Housing Commission.

INFORMATION ONLY:

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.

APPROVED by the Planning Commission of the City of San Diego on August 30, 2007, by Resolution No. _____-PC.

PLANNING COMMISSION
RESOLUTION NO. – _____-PC
COASTAL DEVELOPMENT PERMIT NO. 457937
1244 OLIVER TENTATIVE MAP – PROJECT NO. 81316

WHEREAS, William G. Clarke and Joanne E. Clarke, Co-Trustees of Clarke Trust, Owner/Permittee, filed an application with the City of San Diego to divide an existing two-story, apartment complex with nine dwelling unit apartments into nine residential condominium units (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 457937, on portions of a 0.143-acre property;

WHEREAS, the project site is located at 1244 Oliver Street, in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, and within the Pacific Beach Community Planning Area;

WHEREAS, the project site is legally described as Lots 29 and 30, Block 289, Pacific Beach Subdivision of AC Lots 67, 68, 76, 77, 80 and 81, Map TR No. 946.

WHEREAS, on August 30, 2007, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 457937, pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated August 30, 2007.

FINDINGS:

Coastal Development Permit - Section 126.0708

1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan; and

The 0.143-acre project site is currently developed with an existing apartment complex which includes nine residential apartment units. The development proposes to divide the existing nine dwelling units into residential condominiums and is located approximately five blocks from the coastline. The proposed development is existing and is contained within the existing legal lot area, which will not encroach upon any existing or proposed physical access to the coast. The project site is not located on or adjacent to an identified visual access corridor as identified within the Pacific Beach Local Coastal Program. The project site is situated along Oliver Street, within a developed multi family residential neighborhood. The proposed division into condominiums met the development setbacks

and height limit required at the time it was built and the proposed structure will not block any identified visual corridor.

2. The proposed coastal development will not adversely affect environmentally sensitive lands; and

The 0.143-acre project site is currently developed with an nine dwelling unit apartment complex and does not contain environmentally sensitive lands. The environmental review, determined that the project would not have a significant environmental effect on environmentally sensitive lands and was found to be exempt from environmental review under CEQA Guidelines. The project does not propose any grading on any portion of the property and does not propose any encroachment into Environmentally Sensitive Lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program; and

The proposed division of the existing apartment complex with nine dwelling units into condominium units is located on a site which has a Multi-Family Residential land use designation. During environmental review, it was determined that the project was exempt under the CEQA Guidelines. The project design was also determined to be in compliance with all of the applicable development regulations at the time it was constructed. Due to these factors the proposed condominium conversion was found to be in compliance with the City of San Diego adopted Pacific Beach Community Plan and the Progress Guide and General Plan and the certified Local Coastal Program Land Use Plan.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The 0.143-acre site, currently developed with an existing apartment complex that includes nine dwelling units, is located within a well developed multi family residential neighborhood. The project site is not located between the first public road and the sea or coastline. Development of the project will be fully within the private property. The project site is approximately five blocks away from the Pacific Ocean. There is no identified public access and public recreation area on or adjacent to the project site and these stated resources will not be impaired by the development of this site. The proposed condominium conversion project is designed to take access off the existing public alley and public street, with all ten existing off street parking spaces off the alley and street. The existing character and pedestrian design of the street will remain unaltered.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 457937, is hereby GRANTED by the Planning

Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 457937, a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas
Development Project Manager
Development Services

Adopted on: August 30, 2007

Job Order No. 42-5094

cc: Legislative Recorder, Planning Department

PLANNING COMMISSION RESOLUTION NO. ____ -PC
TENTATIVE MAP NO. 161391
1244 OLIVER TENTATIVE MAP - PROJECT NO. 81316

WHEREAS, WILLIAM G. CLARKE FAMILY TRUST, Applicant/Subdivider, and SAN DIEGO LAND SURVEYING AND ENGINEERING, INC., Engineer, submitted an application with the City of San Diego for a Tentative Map, No. 161391, for the conversion of an existing, two-story, nine (9) residential dwelling unit apartment complex into condominiums and to waive the requirement to underground existing overhead utilities. The project site is located at 1244 Oliver Avenue, on the north side of Oliver Avenue and east of Everts Street, and is legally described as Lots 29 and 30, Block 289, Pacific Beach Subdivision of AC Lots 67, 68, 76, 77, 80 & 81, Map TR No. 946, in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone and within the Pacific Beach Community Plan Area; and

WHEREAS, the Map proposes the subdivision of a 0.143 acre site into one (1) lot for a nine (9) unit residential condominium conversion; and

WHEREAS, the project is exempt from environmental review pursuant to Article 19, Section 15301(k) of the California Environmental Quality Act (CEQA) on the basis that the facilities are existing; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineering pursuant to the Subdivision Map Act and Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, the subdivision is a condominium project as defined in Section 1350 et seq. of the Civil Code of the State of California and is filed pursuant to the Subdivision Map Act. The total number of condominium units is nine (9) residential dwelling units; and

WHEREAS, on August 30, 2007, the PLANNING COMMISSION of the City of San Diego considered Tentative Map No. 161391, including the waiver of the requirement to underground existing overhead utilities, and pursuant to Sections 125.0440, 125.0444, and 144.0240 of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the PLANNING COMMISSION having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the PLANNING COMMISSION of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 161391:

1. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).

2. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).
3. Each of the tenants of the proposed condominium project has received, pursuant to State Map Action Section 66452.9, written notification of intention to convert at least 60 days prior to the filing of a tentative map (Land Development Code 125.0444 and State Map Act Section 66427.1(a)).
4. The project has been conditioned that the Subdivider will give each tenant and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the State Map Act (Land Development Code Section 125.0444 and State Map Act Section 66427.1(a)).
5. The project has been conditioned that the Subdivider will give each tenant 10 days' written notification that an application for a public report will be, or has been, submitted to the Department of Real Estate, and that such report will be available on request (Land Development Code Section 125.0444 and State Map Act Section 66427.1(a)).
6. The project has been conditioned that the Subdivider will give each tenant of the proposed condominium project written notification within 10 days of approval of a final map for the proposed conversion (Land Development Code Section 125.0444 and State Map Act Section 66427.1(b)). If the subdivider chooses to provide affordable housing units, the subdivider shall enter into an affordable housing agreement with the Housing Commission, prior to recordation of the Final Map.
7. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion (Land Development Code Section 125.0444 and State Map Act Section 66427.1(c)).
8. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right (Land Development Code Section 125.0444 and State Map Act Section 66427.1(d)).

9. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing (Land Development Code Section 125.0444.b).
10. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed (Land Development Code Section 125.0444.c).
11. Each of the tenants of the proposed condominium project has received written notification of the project application for the condominium conversion at least 10 days after the application was deemed complete (Land Development Code 125.0431(a)(3)).
12. The project has been conditioned that the subdivider will give each person applying for the rental of a unit in such residential real property written notification that the project application for the condominium conversion was deemed complete (Land Development Code 125.0431(a)(3)).
13. The project has been conditioned that the subdivider will give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (Land Development Code Section 125.0431(a)(4)).
14. The project has been conditioned that the subdivider will provide a relocation assistance payment to all tenants of the project whose tenancy has terminated due to the condominium conversion. (Land Development Code Section 144.0505).
15. The project has been conditioned for the subdivider to satisfy the inclusionary housing requirements in accordance with Land Development Code Section 142.1306. (Land Development Code Section 144.0508).
16. The requested underground waiver of the existing overhead facilities, qualifies under the guidelines of Council Policy No. 600-25 *Underground Conversion of Utility Lines at Developers Expense* in that:
 - A. The conversion involves a short span of overhead facility (less than 600 feet in length).
 - B. The conversion is a requirement of a condominium conversion of an existing development and the conversion would not represent a logical extension to an underground facility.
17. That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the PLANNING COMMISSION, Tentative Map No. 161391, including the waiver of the requirement to underground existing overhead utilities, is hereby granted to William G. Clarke Family Trust, Applicant/Subdivider, subject to the following conditions:

GENERAL

1. This Tentative Map will expire September 13, 2010.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the Tentative Map expiration date, a Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the County Recorder.
4. The Final Map shall conform to the provisions of Coastal Development Permit No. 457937.
5. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any to any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.
6. The subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:

- a. For existing tenants, within 10 days of the project application for the *condominium conversion* being deemed complete; or
 - b. For prospective tenants, upon application for the rental of a unit in the proposed *condominium conversion*.
7. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the State Map Act.
 8. The Subdivider shall provide the tenants a Notice of Application for a Public Report at least 10 days prior to the submittal to the Department of Real Estate (DRB), pursuant to Section 66427.1(a) of the Subdivision Map Act.
 9. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Section 66427.1(c) of the Subdivision Map Act. The provisions of this subdivision shall not alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Sections 1941, 1941.1 and 1941.2 of the Civil Code.
 10. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Section 66427.1(d) of the State Map Act. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report, pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.
 11. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days or approval of a Final Map for the proposed conversion, in conformance with Section 66427.1(b) of the Subdivision Map Act.
 12. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
 13. Prior to recordation of the Final Map, all onsite utilities serving the subdivision shall be undergrounded with appropriate permits. The applicant shall provide written confirmation from applicable utilities that the conversion

has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.

14. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the State Map Act.
15. The Subdivider shall provide the tenants a Notice of Application for a Public Report at least 10 days prior to the submittal to the Department of Real Estate (DRB), pursuant to Section 66427.1(a) of the Subdivision Map Act.
16. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Section 66427.1(c) of the Subdivision Map Act. The provisions of this subdivision shall not alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Sections 1941, 1941.1 and 1941.2 of the Civil Code.
17. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Section 66427.1(d) of the State Map Act. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report, pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.
18. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days or approval of a Final Map for the proposed conversion, in conformance with Section 66427.1(b) of the Subdivision Map Act.
19. The subdivider will provide to a prospective purchaser a copy of the Building Conditions Report prior to the opening of an escrow account. (Land Development Code Section 144.0504(c)).

AFFORDABLE HOUSING

20. The Housing Commission carried out a tenant income survey pursuant to the City's Coastal Overlay Zone Affordable Housing Replacement Regulations (Municipal Code Sections 143.0810 through 143.0860). The applicant is required to pay an in-lieu fee of \$145,100.00 to the Housing Commission or

provide four replacement studio units for low-income households and one replacement studio unit for moderate-income households.

The applicant shall enter into a Coastal Affordable Housing Compliance Agreement with the Housing Commission prior to the approval of Final Map.

21. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5), to the satisfaction of the City Manager and the Housing Commission.

ENGINEERING

22. The Final Map shall comply with the provisions of Coastal Development Permit No. 457937.
23. The subdivider shall remove the parking stripes from the Oliver Street right-of way.
24. The subdivider shall repair the damaged areas of the on site parking area off of Oliver Avenue.
25. The subdivider shall repair the damaged areas of the adjacent alley.
26. The subdivider shall ensure that all onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
27. The subdivider shall re-stripe the rear and front parking spaces as shown on the TM.
28. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for building and landscape improvements (Land Development Code Sections 144.0507), to the satisfaction of the City Engineer. The parking requirements in Land Development Code Sections 144.0507 and 142.0525.a do not apply, since this project was deemed complete prior to the effective date of this ordinance (July 27, 2006).

MAPPING

29. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be

the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).

30. "California Coordinate System means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
31. Every Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.
32. The design of the subdivision shall include private easements, if any, serving parcels of land outside the subdivision boundary or such easements must be removed from the title of the subdivided lands prior to filing any parcel or final map encumbered by these easements.

SEWER AND WATER

33. Water and Sewer Requirements:
 - a. The subdivider shall install appropriate private back flow prevention devices on all existing and proposed water services (domestic, irrigation, and fire) adjacent to the project site in a manner satisfactory to the Water Department Director.
 - b. The subdivider shall provide a letter, agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.

INFORMATION:

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws; ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party, on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within 90 days of the approval of this Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF
SAN DIEGO, CALIFORNIA, ON AUGUST 30, 2007, BY RESOLUTION NO. ____ -
PC.

By

Glenn R. Gargas
Development Project Manager
Development Services Department

Job Order No. 42-5094

Rev 3/7/05 dcj

PACIFIC BEACH COMMUNITY PLANNING COMMITTEE
April 26, 2006 Meeting Minutes

Members Present:

Katie Cooper	Chris Fuller	Jim Lester	Mark Mitchell
Jim Morrison	Ben Nicholls	Marcie Beckett	Catherine Strolein
Barry Schneider	Kathy Evans	William Heilmann	John Shannon
Jenton Price	Carol Blomstrom	Kathy Mateer	

Call to Order, Quorum, Minutes, and Agenda

The meeting was called to order at 6:30 PM. A quorum was established.

- Motion (C. Strolein/ J. Lester): approve minutes for March 22nd meeting. Motion carried with all in favor.

Residential subcommittee Item number 9, referring to 825 Missouri Street was continued.

- Motion (B. Schneider/ C. Strolein): adopt revised agenda. The motion passed unanimously.

Communications from the Public (non agenda items): None

Government Office Reports

A. Stanley from Council District 2 reported that the Beach Area Community Court hosted its first Impact Panel Volunteer Training on 4/ 25. She reported that the first court session would occur on 5/13. She solicited volunteers. She reported on city activities during the PB Block Party date. She also reported that a community cleanup day would occur on 4/29 and that Councilmember Faulconer would attend. She answered several questions regarding directional painting on the boardwalk and the status of the lifeguard tower.

City Planner- Marlon Pangilinan:

M. Pangilinan reported that a training was occurring for new committee members on 4/29. There was some discussion regarding which committee members had taken the trainings.

Chair's Report – Mark Mitchell:

M. Mitchell conducted the officer elections.

- Motion: (C. Blomstrom/ C. Strolein): Elect M. Mitchell as PBGPC Chair. The motion was endorsed by all members.
- Motion: (C. Blomstrom/ B. Schneider): Elect C. Strolein as PBGPC vice Chair. The motion was endorsed by all.
- Motion: (C. Blomstrom/ K. Mateer): Elect B. Nicholls as Recording Secretary. The motion was endorsed by all.

M. Mitchell reported that anyone interested in appointed positions communicate their interest to him for appointment at the next meeting.

B. Nicholls reported that J. Shannon had not received sufficient votes during the election to be seated. Subsequently another application had been received for that slot.

- Motion (C. Blomstrom/ B. Schneider): To receive J. Shannon's application for vacant residential 80.01 board position. The motion passed with all in favor.

Residential Subcommittee Report – Barry Schneider:

1. 1333 Reed Avenue #85426 CDP to construct a two story garage and workshop.

The subcommittee had expressed a desire that the two structures be tied together stylistically and the group expressed concern that the 'workshop' would become an illegal bedroom over time.

- Motion (B. Schneider/ M. Beckett): approve the project with the condition that the bathroom facilities be limited to those shown in the plan. The motion passed unanimously.

- **2. 1501 Chalcedony Street #90566 CDP and TMW to convert 4 existing residential units to condominiums. &**
- **3. 1509 Chalcedony Street #90571 CDP and TMW to convert 4 existing residential units to condominiums.**

The subcommittee had reported issues regarding providing additional parking. However it was reported by the applicant that adding another parking space within the project would result in the loss of one on the street. The committee's concerns regarding the location of trashcans were pacified when the applicant illustrated the location of a trash enclosures.

- Motion (B. Schneider/ Jim Lester): approve the project providing the trash enclosures illustrated were included. The motion passed (14 /1):.

4. 1117 Feldspar Street #94366 CDP & TM to create 4 residential condominiums under construction. & 5. 1125 Feldspar Street #94859 CDP & TM to create 4 residential condominiums under construction.

The subcommittee expressed a concern about cedar wood fencing.

- Motion (B. Schneider /J. Lester): approve the project with the condition that a three foot iron fence be included as discussed. The motion carried (14 /1):.

6. 1244 Oliver Ave. #81316 CDP and TM to convert 9 existing residential units to condominiums.

The subcommittee discussion had centered on concerns about the trash enclosure.

- Motion (B. Schneider/ J. Lester): approve the project with the stipulation that the trash enclosures be included. The motion carried with all hands in favor.

7. 901 Sapphire Street #84320 CDP and TM to convert 10 existing residential units to condominiums.

The subcommittee reported that the map needed to be updated to illustrate trash enclosures and corrected unit counts.

- Motion (B. Schneider/ C. Strolein): was made to approve the project. The motion carried (14 /1):.

8. 835 Thomas Ave. #84312 CDP and TM to convert 11 existing residential units to condominiums.

The subcommittee reported that the 11th parking space should be reconfigured to better accept access for emergency vehicles and that trash enclosures should be clearly called out.

- Motion (B. Schneider/ J. Lester): was made to approve the project. The motion carried (13 / 2):.

The Residential Subcommittee report concluded.

Commercial Subcommittee report – B. Nicholls

1. 4767 Missouri Street #94959 add 3 wireless antennas and equipment to an existing rooftop penthouse.

The correct address for this project was reported as 4767 Ocean Blvd.

- Motion (B. Nicholls/ C. Blomstrom): Endorse the project. The motion carried (14/1):.

2. 2088 Beryl Street #95949 NUP for two new 30 feet high light standards supporting antennas

The subcommittee reported that a discussion had occurred regarding the proximity of radio towers to a school and whether the tower should be painted to match the surrounding tree or be designed to look like a tree.

- Motion (B. Nicholls/ C. Blomstrom): Endorse the project with the stipulation that the tower simply be painted to look like a tree. The motion carried (10/5):.

3. 4105 Mission Blvd. #41256 CDP to demolish existing building and construct 18 residential units over commercial (resubmittal):.

M. Beckett reported that the project was moving forward and that input was required for a Negative Mitigated Declaration. She stated that the project would reach the Planning Commission in June. M. Beckett summarized the previous objections to the project.

- Motion (M. Beckett/ C. Blomstrom): "The chair is authorized to send a written response to the NMD for #41256 that will convey previously established concerns of the project and a representative shall be sent to all public hearings to convey the committee position regarding said project ". The motion passed with all in favor.

4. 2830 Grand Ave. #4977 – Convenience Store with application for liquor license.

It was reported that this project was moving forward and that the opinion of the committee was being misrepresented. The previous vote of support for this project had been based on no alcohol use being included. The project now included alcohol sales. A Strolein gave an enthusiastic presentation regarding this project.

- Motion (Jim Lester/ B. Schneider): Reconsider the project. The motion carried with all hands in favor.



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit
☐ Variance ☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Waiver ☐ Land Use Plan Amendment ☐ Other _____

Project Title
1244 Oliver Ave. Condominium Conversion

Project No. For City Use Only

81316

Project Address:

1244 Oliver Ave.

Part 1 of 2 completed when no other was held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached ☐ Yes ☒ No

Name of individual (type or print):

WILLIAM G. CLARKE

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

13945 PROCTOR VALLEY RD.

City/State/Zip:

JAMUL CA. 91935

Phone No.:

619 669 1706, 619 669 1315

Signature:

William G. Clarke 7-11-05

Name of individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No.:

Fax No.:

Signature:

Date:

Name of individual (type or print):

JOANE E. CLARKE

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

13945 PROCTOR VALLEY RD.

City/State/Zip:

JAMUL CA. 91935

Phone No.:

619 669 1706, 619 669 1785

Signature:

Joane E. Clarke 7-11-05

Name of individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No.:

Fax No.:

Signature:

Date:

NOTE #1 OWNERS ARE CO-TRUSTEES OF THE CLARKE TRUST DATED NOV. 12, 1991

NOTE #2 ALL MAIL SHALL BE SENT TO RD. BOX 549 JAMUL CA. 91935

1244 OLIVER TENTATIVE MAP
 COASTAL DEVELOPMENT PERMIT & TENTATIVE MAP
 Project No. 81316
 Project Chronology

Date	Action	Description	City Review Time	Applicant Response
9/28/05	Applicant submits initial plans/Deemed Complete	Project plans distributed for City staff review.	1 day	
11/07/05	First Assessment Letter	First Assessment Letter identifying required approvals and outstanding issues provided to applicant.	1 Month 9 days	
1/23/06	Applicant submits second full set of plans.	Applicant's revised set of plans submitted in response to first assessment letter from City staff.		3 Months 6 days
03/28/06	Second Assessment Letter	Second Assessment Letter identifying all remaining/outstanding issues.	2 Month 5 days	
2/22/07	Issues resolved	Staff determines project issues resolved, okay Process 4 Planning Commission hearing to proceed.		9 Months 24 days
08/30/07	Planning Commission Hearing	Public Hearing	6 Month 8 days	
TOTAL STAFF TIME		Averaged at 30 days per month	9 Months 22 Days	
TOTAL APPLICANT TIME		Averaged at 30 days per month		13 Months 0 Days
TOTAL PROJECT RUNNING TIME			22 Months, 22 Days	



- 1625 Newton Avenue
- San Diego, California 92113-1038
- 619/578-7580
- FAX: 619/578-7356
- www.sdhc.net

January 30, 2007

Mr. William Clarke
P.O. Box 549
Jamul, CA 91935

SUBJECT: Coastal Affordable Housing Compliance Permit, 1244 Oliver Avenue,
PTS #81316

Dear Mr. Clarke:

The purpose of this letter is to notify you of the Coastal Affordable Housing Compliance Permit Determination for your proposed conversion of nine apartments to condominiums at 1244 Oliver Avenue.

Upon receipt of your application, Housing Commission staff carried out an income survey of the nine units. The tenant income survey identified **four studios occupied by low-income persons and one studio occupied by moderate-income persons.**

Pursuant to the City's Coastal Overlay Zone Affordable Housing Replacement Regulations (Municipal Code Sections 143.0810 through 143.0860), we are notifying you of the results of this tenant income survey and your obligation to provide four studio replacement units with rents affordable to low-income households and one studio unit with rents affordable to moderate-income households for a period of five years. Alternatively, you may pay an in-lieu fee to the Housing Commission.

If you propose to provide replacement units, those units must be acceptable to the Housing Commission, consistent with the Municipal Code sections cited above. Affordable housing costs and affordable rents shall meet the requirements of California Health and Safety Code Sections 50052.5 and 50053.

If you propose instead to pay an in-lieu fee, your obligation under the current in-lieu fee schedule would be as follows:

Unit Size	Income Category	Number of Replacement Units	In-Lieu Fee	Total
Studio	Low-income	4	\$31,100	\$124,400
Studio	Moderate-income	1	\$20,700	\$20,700
TOTAL		5		\$145,100

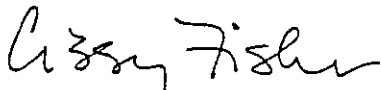


Mr. William Clarke
January 30, 2007
Page 2

Please note that the in-lieu fee schedule is subject to change, and the amount you would be required to pay will depend on the fee schedule in place at the time the Coastal in-lieu fee is due and payable.

When you have decided whether to provide replacement units or to pay the in-lieu fee, please notify Ms. Ann Kern of your decision **in writing**. She can be reached at 619-578-7582 or via e-mail at annk@sdhc.org

Sincerely,

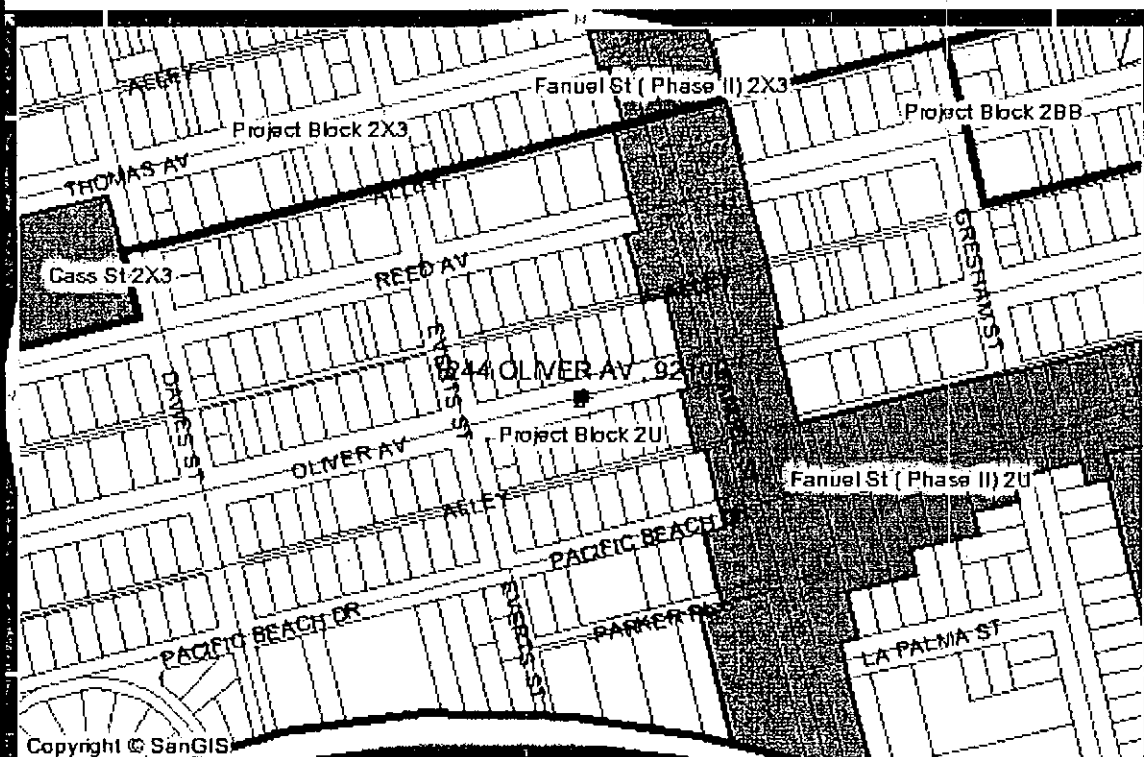


Cissy Fisher
Director, Housing Finance & Development

c: Ann Kern, San Diego Housing Commission
Glenn Gargas, City of San Diego Development Services, MS501
Robert Bateman, San Diego Land Surveying & Engineering

g:\hfshare\coastal\1244 Oliver Avenue \1244 Oliver Determination Ltr

Utilities Undergrounding Mapping Application



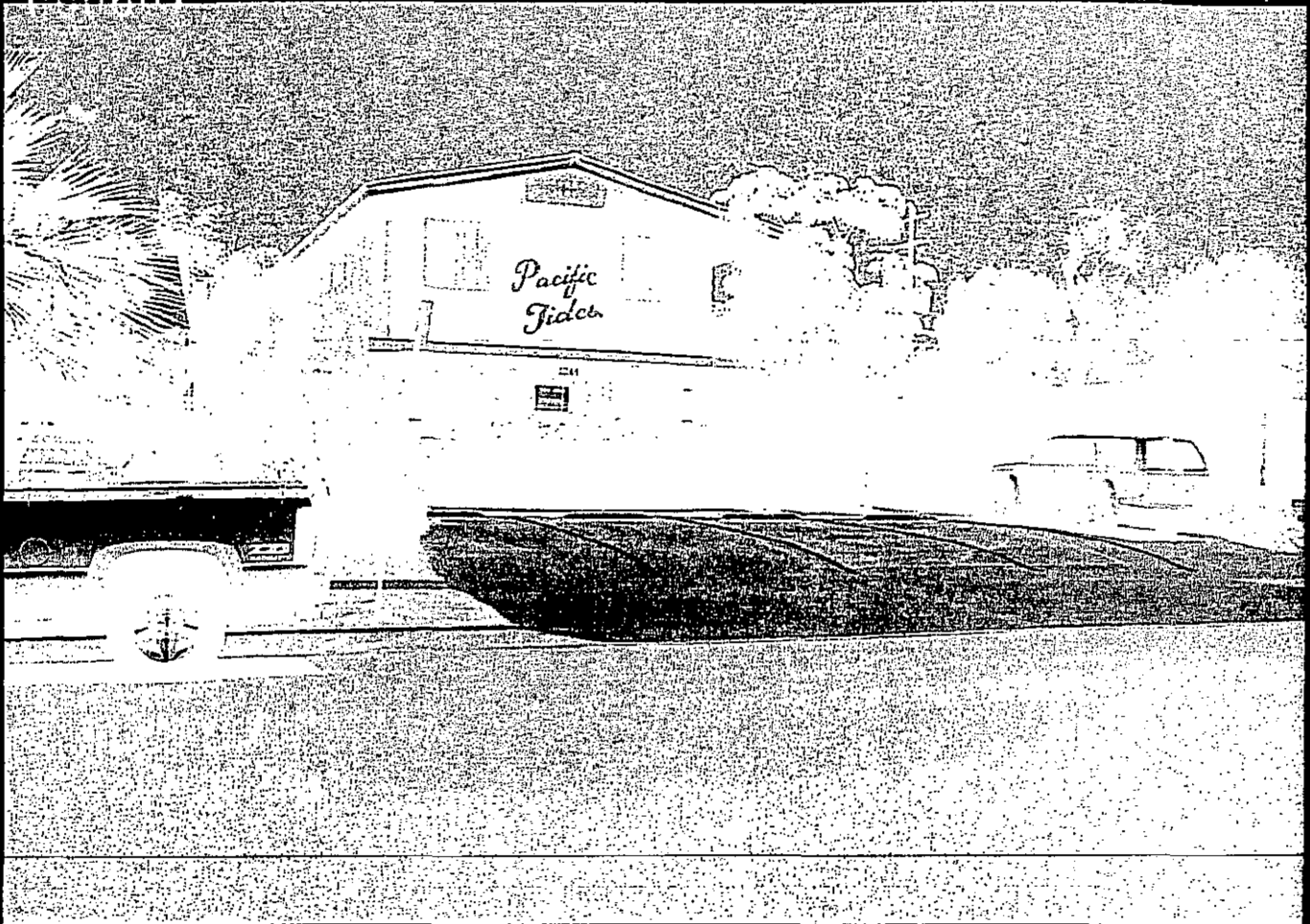
Identify Results

Council Districts

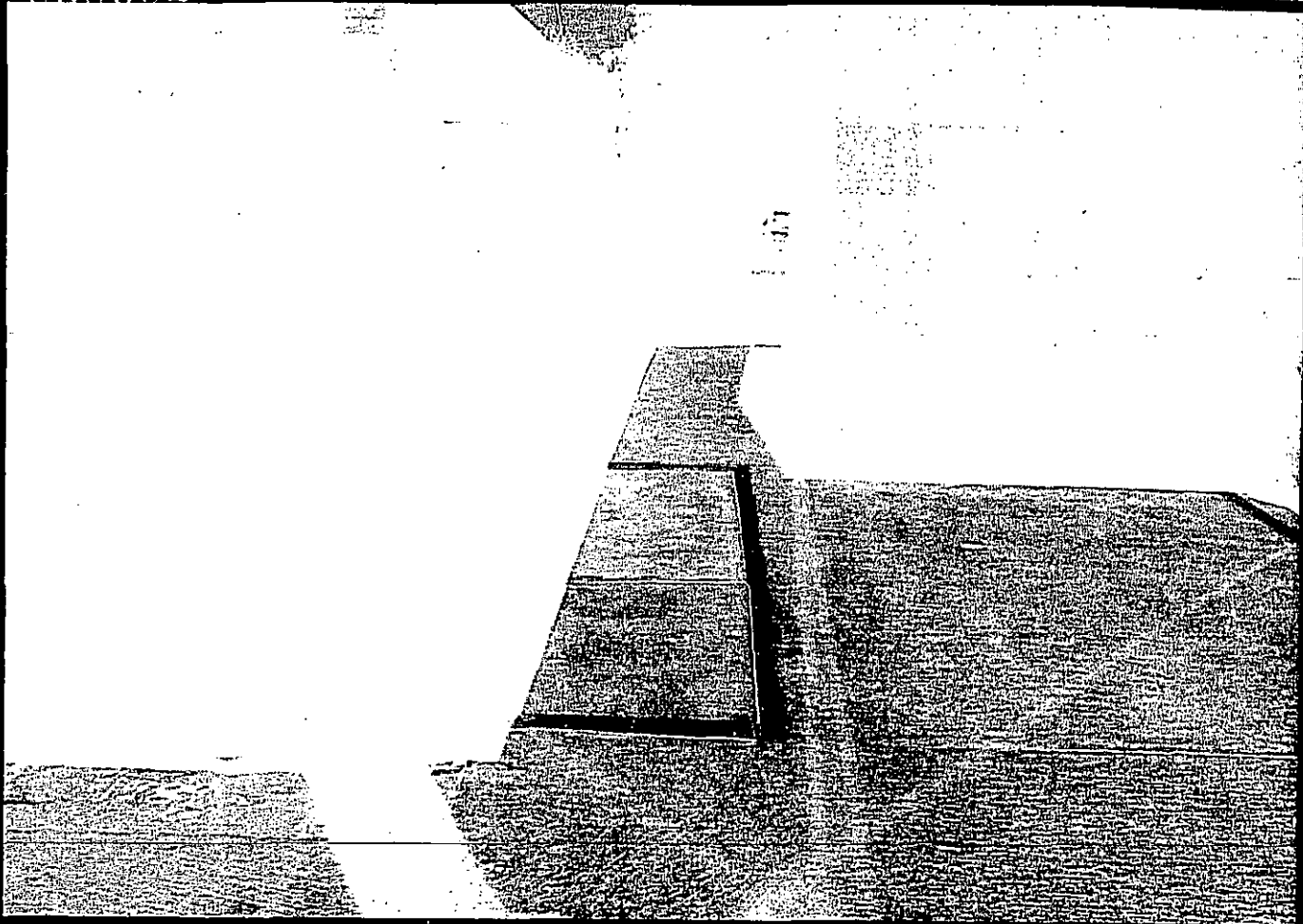
Council District: 2
 Member Name: Kevin Faulconer
 Office Phone: (619) 236-6622

Utilities Undergrounding Projects

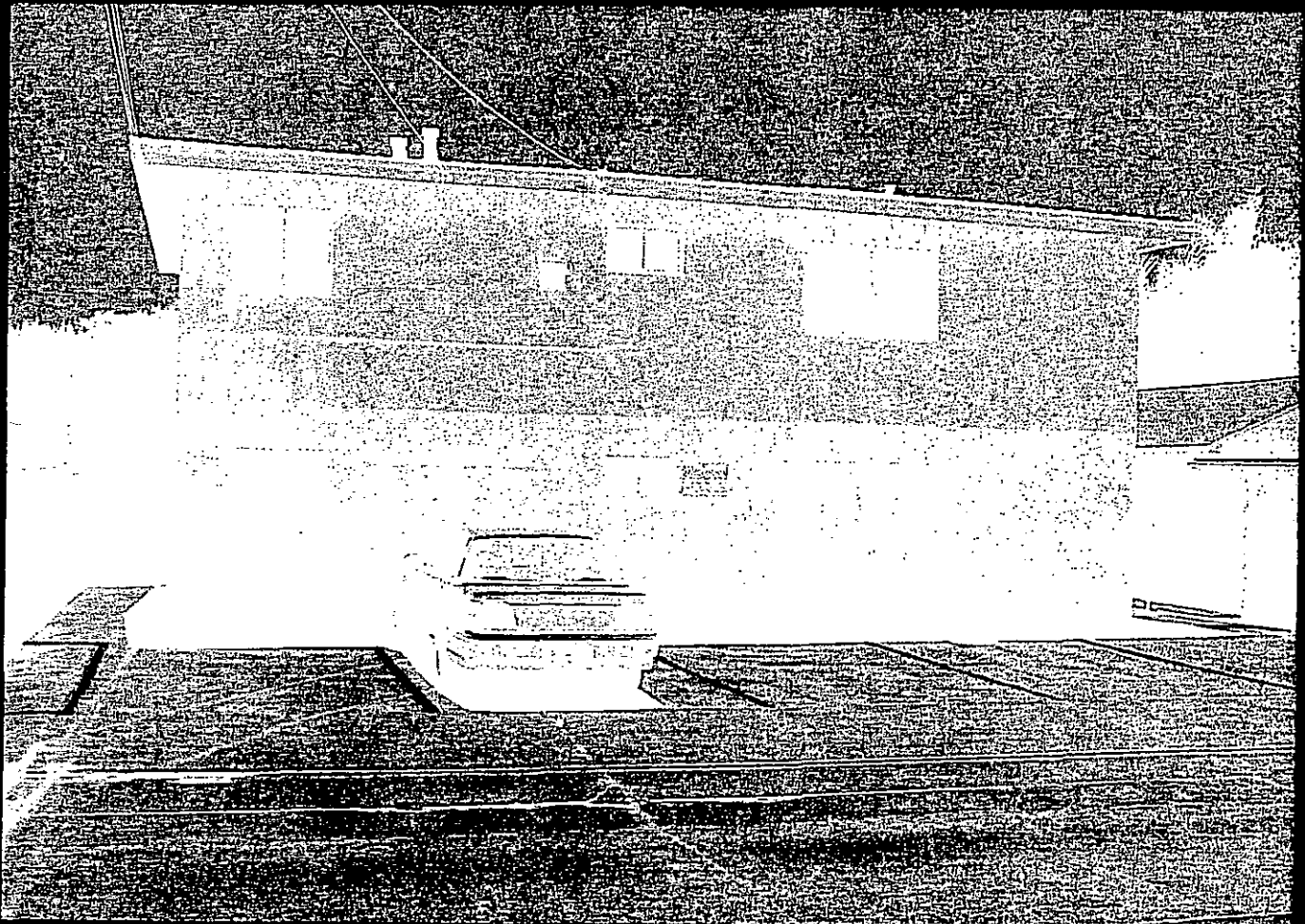
Project Name: Project Block 2U
 Year Allocated: 2045
 Project Start: May 31, 2047
 Project End: May 30, 2049
 Contact Person: Carol Drummond
 Phone #: 6195333841
 Email: undergrounding@sa
 Website: www.sandiego.gov/
 Council District: 2
 Phase: unallocated



2



7



8



**Building Condition Report
Analysis and Executive Summary
July 10, 2007
Version 1**

The subject property is a residential complex located at 1244 Oliver San Diego, Ca 92109. The development consists of one, two level building with nine total living units, and nine marked uncovered.

This report consists of three sections, the analysis and executive summary section, the licensed building inspectors detailed findings and photographs and the structural engineers report and findings.

Detailed inspections and reports were performed by Edward J. Vargas, State of California Registered Professional Engineer, C41205, and Mike Goodrich State Of Arizona Certified Inspector, Certified Termite Inspector and Certified Residential Mold Inspector.

Every attempt has been made to ensure that the inspection and this report comply with the City Of San Diego Condominium Conversion Process Building Condition Report Ordinance. All units were inspected.

Executive Summary

The buildings, systems and grounds in this development are aged, and have some deferred maintenance. Some system upgrades are warranted but in general the development is in satisfactory condition. This development can easily be rehabilitated and converted to condominiums/living units consistent with the neighborhood's general construction quality, amenities and architectural style.



Integral Building Components Health And Safety Code Analysis

Foundation And Structure:

The buildings foundations and structures are aged but in good condition relative to their age. The lateral and vertical support members are in adequate condition.

The buildings stairs, railings, baluster, and banisters are in satisfactory condition.

Walls And Exterior Components:

Walls and exterior components are generally in satisfactory condition with normal stucco maintenance, termite damage and wood rot repairs needed.

Windows:

All windows are functional and provide adequate fire egress in sleeping areas. The windows are aged and loose in their frames replacement for age is recommended. This building uses single pane aluminum frame windows which do not meet Title 24 energy efficiency standards for this zone. All windows should be replaced with insulated dual pane windows as part of the conversion plan.

Roofs:

The roof covering is asphalt shingle roofing material. The roofing material have an apparent age of 5 years old.

With normal maintenance the roof will have a life expectancy greater than five years.

Electrical:

The electrical system does not make complete use of currently accepted safety components (GFCIs and AFCIs). The electrical system should be upgraded to include appropriate use of currently approved electrical distribution safety devices (GFCI outlets and AFCI breakers) in all locations currently required by municipal building codes. The main building is supplied by one 100 amp service and each unit has a 35 amp service. The 35 amp services will be undersized for the needs of upgraded condominiums, and will need to be upgraded to 60 to 100 amp services (depending on planned unit amenities). The upgrades to the unit service rating will require upgrades to the sizing of the 100 amp main service to the complex.

The building and living units do not meet current municipal residential building guidelines in regards to number, location, interconnection and installation of smoke detectors. Smoke detector system upgrades are required.

**Plumbing:**

The natural gas supply system does not include emergency manual or automatic seismic shutoff valves. As a minimum a manual emergency seismic shutoff valve/wrench should be installed.

The water supply plumbing is copper and appears to be in adequate condition.

Mechanical:

Living units are not equipped with cooling systems.

Living units are equipped with approximately 10 year old gas wall furnaces which were in satisfactory condition at the time of the inspection. These units will have a remaining useful life in excess of five years with normal maintenance...

Paving And Drainage:

Concrete drives are in adequate condition. Drives need to be patched and resurfaced. Walks are worn and in need of resurfacing along with some repairs for safety. With repairs, crack patching, sealing and resurfacing the concrete drives and walks will have a remaining useful in excess of five years.

Parking And Recreational Facilities Analysis:

Landscaping is consistent with the neighborhood. Ten (10) marked uncovered spaces are provided at the North and South ends of the building. No recreational facilities are provided.

Energy Efficiency Standards Compliance Analysis:

Due to the age and construction style using non-invasive inspection techniques it was impossible to determine certain aspects of energy efficiency (wall insulation R factor for example). Windows do not currently meet the Title 24 energy efficiency standards for the zone. There is no attic insulation. The following recommendations are made:

1. Windows should be replaced with windows meeting Title 24 energy efficiency standards for this zone.
2. Insulation and a vapor barrier should be added to the attic consistent with current municipal standards.



Integral Building Components Remaining Useful Life Analysis:

Roofs:

The main roof is approximately five years old. With normal maintenance the roof will have a remaining useful life in excess of five years. .

Water Heating:

Water heating is provided by a common 75 gallon gas water heater. The water heater is fifteen years old. Normal water heater life expectancy is 8 to 12 years. The water heater will need to be replaced to obtain a useful life in excess of five years

Cooling And Heating Mechanical:

The natural convection gas wall furnaces are approximately then years old and have a remaining useful life in excess of five years.

Exterior Floor Coatings:

Exterior walks, balconies and stair treads are finished concrete. Exterior concrete is in a worn condition but with minor crack filling and resurfacing the exterior floor coatings will have a remaining useful life in excess of five (5) years.

Foundation And Structure:

The buildings foundations and structures are aged but in good condition relative to their age. The lateral and vertical support members are in adequate condition. The buildings stairs, railings, baluster, and banisters are in satisfactory condition. All these components have a remaining useful life well in excess of five years.

Disabled Access Analysis:

No provisions for disabled access are currently available in this project. No ADA parking spaces are provided.

Sound Transmission Analysis:

This building does not meet the current municipal sound transmission standards.



Actions To Ensure Safe And Efficient Operation Of Plumbing, Heating, Electrical and Roofing Systems:

Developer intends to take the following actions in regards to the future safe and

efficient operation of these important major building systems:

1. Upgrade electrical system to include installation of GFCIs and AFCIs in all required locations.
2. Upgrade unit and complex electrical services to meet the needs of modern condominium appliances.
3. Smoke detectors will be upgraded and installed consistent with current municipal residential building guidelines. This includes 120VAC, battery backed up and interconnected with all other smoke detectors in the building.
4. A manual seismic emergency shutoff will be installed in the natural gas supply system.
5. Aged water heater pump will be replaced.
6. Windows will be replaced with dual pane insulated windows..

Proposed Structural Changes And Cosmetic Improvements:

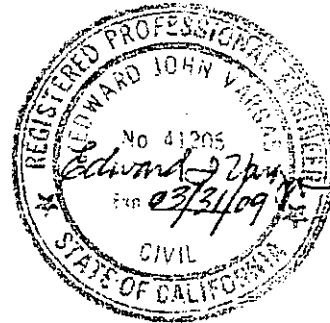
There are no planned general structural or façade enhancements.

**Report Approval:**

Executive Summary, Structural Report And Detailed Inspection Report
Reviewed And Approved:

A handwritten signature in cursive script that reads 'Edward J. Vargas'.

Edward J. Vargas
President Vargas Engineers
State Of California Licensed P.E. C41205



Michael P. Goodrich
Professional Associate
LandAmerica Assessment Corporation
ASHI Certified Home Inspector
State Of Arizona Certified Home Inspector
State Of Arizona Certified Wood Destroying Insect Inspector
IESO Certified Residential Mold Inspector

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
SEPTEMBER 27, 2007
IN CITY COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

CHRONOLOGY OF THE MEETING:

Chairperson Schultz called the meeting to order at 9:06 a.m. Chairperson Schultz adjourned the meeting at 12:24 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Barry Schultz-present
Vice-Chairperson Kathleen Garcia- Not present
Commissioner Robert Griswold- present
Commissioner Gil Ontai-present
Commissioner Dennis Otsuji- present
Commissioner Eric Naslund- present
Commissioner Mike Smiley - present
Mary Wright, Planning Department – present
Mike Westlake, Development Services-present
Andrea Dixon, City Attorney- present
Sabrina Curtin, Recorder-present

ITEM-6: *Continued from July 12 and August 30, 2007:*

1244 OLIVER TENTATIVE MAP - PROJECT NO. 81316

City Council District: 2 Plan Area: Pacific Beach

Staff: Glenn Gargas

Speaker slips submitted in favor by Robert Bateman and William Clarke
No one present to speak in opposition.

COMMISSION ACTION:

MOTION BY COMMISSIONER NASLUND TO APPROVE COASTAL
DEVELOPMENT PERMIT NO. 457937.

APPROVE TENTATIVE MAP NO. 254536, AND THE REQUEST TO WAIVE
THE REQUIREMENT TO UNDERGROUND EXISTING OVERHEAD UTILITIES
AS PRESENTED IN PC-07-094 WITH THE FOLLOWING CONDITIONS;

THE ENTIRE ITEMS LISTED ON THE SUBMITTED JG CLARK
CONSTRUCTION BUDGET LIST (LISTED DOLLAR AMOUNT DOES NOT
APPLY), ALONG WITH THE APPLICANT AGREES TO UPGRADE
ELECTRICAL TO CURRENT CODE PER ITEMS LISTED IN THE LAND
AMERICA BUILDING CONDITION REPORT MUST BE COMPLETED AS
PART OF THE APPROVAL PRIOR TO THE APPROVAL OF THE FINAL MAP.
NO REFERENCE TO DOLLAR AMOUNT; IT IS THE SCOPE OF THE PROJECT
(ITEMS LISTED IN HANDOUT).

Second by Commissioner Griswold. Passed by a 5-1-1 with Commissioner Griswold
voting nay and Vice-Chairperson Garcia not present. Resolution No. PC-4316



**Building Condition Report
Analysis and Executive Summary
July 10, 2007
Version 1**

The subject property is a residential complex located at 1244 Oliver San Diego, Ca 92109. The development consists of one, two level building with nine total living units, and nine marked uncovered.

This report consists of three sections, the analysis and executive summary section, the licensed building inspectors detailed findings and photographs and the structural engineers report and findings.

Detailed inspections and reports were performed by Edward J. Vargas, State of California Registered Professional Engineer, C41205, and Mike Goodrich State Of Arizona Certified Inspector, Certified Termite Inspector and Certified Residential Mold Inspector.

Every attempt has been made to ensure that the inspection and this report comply with the City Of San Diego Condominium Conversion Process Building Condition Report Ordinance. All units were inspected.

Executive Summary

The buildings, systems and grounds in this development are aged, and have some deferred maintenance. Some system upgrades are warranted but in general the development is in satisfactory condition. This development can easily be rehabilitated and converted to condominiums/living units consistent with the neighborhood's general construction quality, amenities and architectural style.



Integral Building Components Health And Safety Code Analysis

Foundation And Structure:

The buildings foundations and structures are aged but in good condition relative to their age. The lateral and vertical support members are in adequate condition.

The buildings stairs, railings, baluster, and banisters are in satisfactory condition.

Walls And Exterior Components:

Walls and exterior components are generally in satisfactory condition with normal stucco maintenance, termite damage and wood rot repairs needed.

Windows:

All windows are functional and provide adequate fire egress in sleeping areas. The windows are aged and loose in their frames replacement for age is recommended. This building uses single pane aluminum frame windows which do not meet Title 24 energy efficiency standards for this zone. All windows should be replaced with insulated dual pane windows as part of the conversion plan.

Roofs:

The roof covering is asphalt shingle roofing material. The roofing material have an apparent age of 5 years old.

With normal maintenance the roof will have a life expectancy greater than five years.

Electrical:

The electrical system does not make complete use of currently accepted safety components (GFCIs and AFCIs). The electrical system should be upgraded to include appropriate use of currently approved electrical distribution safety devices (GFCI outlets and AFCI breakers) in all locations currently required by municipal building codes. The main building is supplied by one 100 amp service and each unit has a 35 amp service. The 35 amp services will be undersized for the needs of upgraded condominiums, and will need to be upgraded to 60 to 100 amp services (depending on planned unit amenities). The upgrades to the unit service rating will require upgrades to the sizing of the 100 amp main service to the complex.

The building and living units do not meet current municipal residential building guidelines in regards to number, location, interconnection and installation of smoke detectors. Smoke detector system upgrades are required.

**Plumbing:**

The natural gas supply system does not include emergency manual or automatic seismic shutoff valves. As a minimum a manual emergency seismic shutoff valve/wrench should be installed.

The water supply plumbing is copper and appears to be in adequate condition.

Mechanical:

Living units are not equipped with cooling systems.

Living units are equipped with approximately 10 year old gas wall furnaces which were in satisfactory condition at the time of the inspection. These units will have a remaining useful life in excess of five years with normal maintenance..

Paving And Drainage:

Concrete drives are in adequate condition. Drives need to be patched and resurfaced. Walks are worn and in need of resurfacing along with some repairs for safety. With repairs, crack patching, sealing and resurfacing the concrete drives and walks will have a remaining useful in excess of five years.

Parking And Recreational Facilities Analysis:

Landscaping is consistent with the neighborhood. Ten (10) marked uncovered spaces are provided at the North and South ends of the building. No recreational facilities are provided.

Energy Efficiency Standards Compliance Analysis:

Due to the age and construction style using non-invasive inspection techniques it was impossible to determine certain aspects of energy efficiency (wall insulation R factor for example). Windows do not currently meet the Title 24 energy efficiency standards for the zone. There is no attic insulation. The following recommendations are made:

1. Windows should be replaced with windows meeting Title 24 energy efficiency standards for this zone.
2. Insulation and a vapor barrier should be added to the attic consistent with current municipal standards.



Integral Building Components Remaining Useful Life Analysis:

Roofs:

The main roof is approximately five years old. With normal maintenance the roof will have a remaining useful life in excess of five years. .

Water Heating:

Water heating is provided by a common 75 gallon gas water heater. The water heater is fifteen years old. Normal water heater life expectancy is 8 to 12 years. The water heater will need to be replaced to obtain a useful life in excess of five years

Cooling And Heating Mechanical:

The natural convection gas wall furnaces are approximately then years old and have a remaining useful life in excess of five years.

Exterior Floor Coatings:

Exterior walks, balconies and stair treads are finished concrete. Exterior concrete is in a worn condition but with minor crack filling and resurfacing the exterior floor coatings will have a remaining useful life in excess of five (5) years.

Foundation And Structure:

The buildings foundations and structures are aged but in good condition relative to their age. The lateral and vertical support members are in adequate condition. The buildings stairs, railings, baluster, and banisters are in satisfactory condition. All these components have a remaining useful life well in excess of five years.

Disabled Access Analysis:

No provisions for disabled access are currently available in this project. No ADA parking spaces are provided.

Sound Transmission Analysis:

This building does not meet the current municipal sound transmission standards.

**Actions To Ensure Safe And Efficient Operation Of Plumbing, Heating, Electrical and Roofing Systems:**

Developer intends to take the following actions in regards to the future safe and

efficient operation of these important major building systems:

1. Upgrade electrical system to include installation of GFCIs and AFCIs in all required locations.
2. Upgrade unit and complex electrical services to meet the needs of modern condominium appliances.
3. Smoke detectors will be upgraded and installed consistent with current municipal residential building guidelines. This includes 120VAC, battery backed up and interconnected with all other smoke detectors in the building. Also, within sleeping rooms, the new smoke alarms to be installed shall include a 'visual notification device' to notify hearing impaired occupants.
4. A manual seismic emergency shutoff will be installed in the natural gas supply system.
5. Aged water heater pump will be replaced.
6. Windows will be replaced with dual pane insulated windows..

Proposed Structural Changes And Cosmetic Improvements:

There are no planned general structural or façade enhancements.



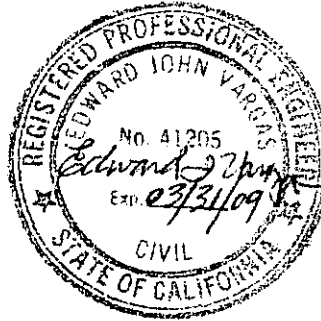
Report Approval:

**Executive Summary, Structural Report And Detailed Inspection Report
Reviewed And Approved:**

Edward J. Vargas

7/10/07

Edward J. Vargas
President Vargas Engineers
State Of California Licensed P.E. C41205



Michael P. Goodrich
Professional Associate
LandAmerica Assessment Corporation
ASHI Certified Home Inspector
State Of Arizona Certified Home Inspector
State Of Arizona Certified Wood Destroying Insect Inspector
IESO Certified Residential Mold Inspector



Appendix A

Opinions of Probable Costs to Remedy Physical Deficiencies

The opinions of probable costs included in the report are for the suggested remediation of the physical deficiencies or modernization of outdated systems or components. For some physical deficiencies, determining the appropriate suggested remedy may warrant further investigation, exploratory probing, testing design, etc., all of which are outside the scope of a Property Condition Assessment. In these instances, opinions of probable costs for further investigation have been provided if known.

The probable cost estimates provided are for suggested remediation expected to exceed \$3,000 either individually or in total for like items. These costs are intended to assist the user in developing a general understanding of the physical condition of the subject property and should be construed as preliminary budget numbers ONLY. The costs are estimates and are intended to provide an order of magnitude. To obtain precise figures professional contractors should be consulted.

The probable costs are limited to construction-related costs. Business related, design or management fees, and other indirect costs are excluded. The probable costs are not for repairs or improvements that are classified as routine or normal preventative maintenance, cosmetic, decorative, etc. Opinions of probable costs may be based upon the extrapolation of representative observation, conditions deemed to be highly probable, results from information received, or estimated remaining useful lives of the systems or components, or a combination thereof.

The opinions of probable costs have been divided into three categories based on their level of priority and include the following:

Immediate Costs - Costs to remedy physical deficiencies that require immediate attention as a result of:

- An existing or potentially unsafe condition.
- A condition that if not repaired or replaced may have the potential to result in, or contribute to a critical system or component failure within one year.
- Will have the potential for a significant increase in the remedial cost if not addressed.

Short-Term Costs - Costs to remedy physical deficiencies, such as deferred maintenance that may not warrant immediate attention, but require repairs or replacements on a priority basis. Generally the time frame for such remedial work can be anticipated within one to two years.



Unpredictable or Discretionary Costs – Costs that are considered to be either unpredictable or construed as discretionary, but repair or replacement can be reasonably anticipated within approximately the next five years. No physical deficiencies were observed that would indicate immediate or short-term remediation and the system or component remains functional and operational. However there is evidence that it is nearing its typical useful life.

For the purposes of this report only those items in need of immediate major repair or in need of replacement to provide a five year remaining useful life will be discussed.

Item	Recommendation	Probable Cost			Safety Hazard
		Immediate (<1 year)	Short-Term (1 to 2 years)	Unpredictable or Discretionary (≤5 years)	
1.0 Site					
1	Patch, seal and resurface walks and drives	\$5,000			
2					
3					
4					
5					
6					
2.0 Structural Frame					
1					
2					
3					
4					
5					
6					
3.0 Roofing					
1					
2					
3					
4					
5					
6					
4.0 Façade					
1					
2					
3					
4					
5					
6					

**5.0 Heating**

1				
2				
3				
4				
5				
6				

6.0 Air Conditioning

1				
2				
3				
4				
5				
6				

7.0 Ventilation

1				
2				
3				
4				
5				
6				

8.0 Electrical

1	Install GFCIs	\$2,000		
2	Upgrade Unit Services	\$8,000		
3	Upgrade Complex Services	\$3,000		
4				
5				
6				

9.0 Plumbing

1	Replace water heater	\$1500		
2				
3				
4				
5				
6				

10.0 Life Safety / Fire Protection

1	Upgrade smoke detectors	\$1500		
2				
3				
4				
5				
6				

11.0 Interior

000620



1	Windows	\$16,000			
2					
3					
4					
5					
6					
12.0 Insulation					
1	Attic Insulation	\$2000			
2					
3					
4					
5					
6					
Total		\$39,000			

Note: Total probable costs do not include minimal amounts.

VARGAS ENGINEERS

751 N. Fair Oaks Ave.
Pasadena, CA 91103

Phone: (626) 792-3702
Fax: (626) 792-3726

July 10, 2007

Mr. Mike Goodrich
SW Area Executive
LandAmerica Property Inspection Services
1363 S. Vineyard
Mesa, AZ 85210

RE: Structural Inspection on July 7, 2007
Project Location: 1244 Oliver Ave., San Diego, CA 92109

Dear Mr. Goodrich:

Thank you for the opportunity to serve you. At your request, we performed a limited structural inspection of the above property on the above date. The following report was prepared based on that inspection. The weather was clear and outdoor temperature about 80 degrees F.

For your convenience, we prepared the following summary of conditions of structural systems of the property. Please read the report for a more detailed discussion of these systems.

SUMMARY

- The building structural system is in good condition
- Exterior finish is in good condition
- Water control/surface runoff is adequate

INTRODUCTION

The purpose of this inspection and report is to evaluate the current condition of the **structural system** of this apartment building complex and to determine what, if any significant maintenance, repairs, and/or replacement to this system is required now.

This report is an opinion about the structural condition of this building. It is based on visual evidence available during a diligent inspection of reasonably accessible areas. No surface materials were removed, neither destructive testing undertaken, nor furnishings moved. This report is not an exhaustive technical evaluation. The report is not to be considered a guarantee of condition and no warranty is implied. The report is not to be used as a substitute for disclosure under California Law. Scope of this inspection does not include a comprehensive evaluation for code compliance, governmental regulation compliance, or hazardous materials anywhere on the site.

For your reference while reading our report, the following definitions may be helpful. Please note these are applied as overall ratings and do not preclude that a part or section of a particular system or component may be in different condition:

- Excellent- Component or system is in "as new" condition, requiring no rehabilitation, and should perform in full accordance with expected performance.
- Good- Component or system is sound and performing its function, although it may show signs of normal wear and tear. Some minor rehabilitation work may be required.
- Fair - Component or systems falls into one or more of the following categories: a) Evidence of previous repairs not in compliance with commonly accepted standards, b) Workmanship not in compliance with commonly accepted standards, c) Component or system is obsolete, d) Component or system approaching end of expected life. Repair or replacement is required to prevent further deterioration or to prolong expected life.
- Poor- Component or system has either failed or cannot be relied upon to continue performing its original function as a result of having exceeded its expected performance, excessive deferred maintenance, or state of disrepair. Present condition could contribute or cause deterioration of other elements or systems. Repair or replacement is required.

DESCRIPTION

The building is a two-story 9-unit apartment building with a common wall between each rental unit. The building is about 40 years old and is located on a graded lot with a gentle slope from rear to front. The footprint of the building is approximately rectangular in shape with uncovered parking stalls at the front and rear of the building. An alleyway is located at the rear of the building. Along the right side of the building are stairs with concrete steps leading up to the second floor apartment units. The first floor of the building structure has perimeter concrete foundation footings and interior concrete slab-on-grade. The roof is sloped and is covered with asphalt fiberglass shingles.

There are a total of 10 uncovered parking stalls. At the front driveway are five parking stalls and at the rear of the building adjacent to the rear alleyway are five parking stalls.

Wood framing is used for roof, ceilings, floor, and exterior and interior walls. Windows are metal frame, horizontal sliders. Exterior doors are solid core wood and interior doors are hollow core wood. Exterior walls consist of Portland cement stucco, wood siding, and brick veneer.

For purposes of this report, all directions (left, right, rear, etc.) are taken from the viewpoint of an observer standing in front of the building and facing it from Oliver Ave.

STRUCTURAL

BUILDING FOUNDATION AND FLOOR

The basic construction as described above, is a standard method of construction. For slab-on-grade construction, very little of the foundation supporting bearing walls is visible.

Inspection of the exterior did not reveal any major foundation cracks. No shifting of the building with respect to its foundation was evident.

The front and rear concrete driveways do show concrete cracks. Driveways do not show major settlement, uplifting or bulging.

The front walkways do show concrete cracks. The concrete cracks do not extend to or through the building foundation. The front concrete walkway does show major uplifting and bulging and creates a tripping hazard. The cracked and uplifted portions of concrete walkway should be removed and replaced.

Exterior stair landings do not show major settlement, uplifting or bulging. Concrete stair treads and risers are showing concrete cracks. The cracked concrete treads and risers are in need of repair. By observation, exterior stairs are in good condition and are structurally sound.

Second level elevated concrete walkways are showing hairline cracks. Clean and fill concrete cracks with an approved waterproof concrete filler material. Inspection of the underside of the second level walkways did not show water stains or water damage. By observation, the elevated concrete walkways are in good condition and are structurally sound.

By visual inspection, the foundation supporting the two-story apartment building is performing as intended and is structurally sound

FRAMING

Roof framing members are 2x roof joists generally spaced at 16 to 24 inches on center. Second floor framing members are 2x floor joists generally spaced at 16 inches on center. Although deflections are inherent in framing members, we observed no excessive deflection of roof, ceiling, or floor.

Wall framing at the first and second floor levels were not visible or accessible due to wall finishes throughout. In most areas there was no visible distress to walls to warrant further inspection at this time. Walls are relatively straight and plumb and no wall leaned to a point to render it unstable. Door and window openings are square and level.

On the exterior of the building, we did not see visible evidence of dry rot. It is possible dry rot could exist in inaccessible areas in the interior and exterior of the building. If there is any disassembling of areas of the structure normally inaccessible to visual inspection, dry rot, mold, or other wood destroying organisms may be found.

Based on visible evidence, the apartment building structural system has not been modified, is in good condition, and is structurally sound.

VENTILATION

Attic ventilation consists of roof eave vents. Attic ventilation is not a factor in the condition of the structure.

WATER CONTROL

Drainage on four sides of apartment building is adequate. Along four sides of the building, concrete driveways and walkways are sloped to drain and direct water away from the building foundation. Roof rain gutters and downspouts were not visible.

EXTERIOR

Exterior wall surfaces (stucco, wood siding, and wood trim) are in good condition. Stucco hairline cracks are visible at various locations. These stucco hairline cracks are most likely caused by expansion and contraction of the stucco material due to changes in temperature or very minor movement of parts of the building structure due to differential settlement of the foundation, wind, or seismic activity that occurs periodically in the region. The presence of hairline stucco cracks does not render the building unstable.

At the front wall, brick veneer is showing cracks at mortar joints. Clean and fill damaged mortar joints with an approved mortar mix.

At the front wall, the metal lintel supporting brick veneer at the window head is showing severe rust. Repair or replace the rust damaged metal lintel at the front window head.

Wrought iron handrails and guardrails are in good condition and are structurally sound.

At the front yard, the brick garden wall is showing vertical cracks on the surface of the bricks and cracks through the mortar joints. Tree roots may be the cause of damage to the garden wall. Repair or replace the damaged bricks and clean and fill the mortar joints with an approved mortar mix.

CONCLUSION AND RECOMMENDATIONS

Based on visible evidence, we consider this property to be in good structural condition when compared to others of similar age and construction type. No major structural repairs are recommended at this time.

This report has been prepared in strict confidence with you as our client and for your exclusive use. We will not release this report, or discuss its contents, to anyone without your permission. We prefer if our report is not provided to other inspection professionals without coordinating with us ahead of time.

Vargas Engineers does not intend any other individual or party to rely upon this report without our expressed written consent. Third parties will indemnify and hold harmless Vargas Engineers for any damages, losses, or expenses they incur as a result of its use.

If you have any questions or would like further clarification on specific findings, please do not hesitate to call. Thank you for the opportunity to be of assistance to you.

Sincerely,

Edward J. Vargas

Edward J. Vargas, P.E.
President
Calif. Lic. No. C 41205





1244 Oliver
San Diego, Ca 92109

Client(s): Clarke
Inspection Date: 7/9/2007

The Best Inspectors. Anywhere.

Inspector: Michael Goodrich

Thank you for choosing LandAmerica for your property inspection. We value your business and are available should you have any follow-up questions regarding your report.

This report represents our professional opinion regarding conditions of the property as they existed on the day of our inspection. We adhere to the Standards of Practices as outlined in the Standards of Practice of the American Society of Home Inspectors (ASHI) or your specific state standards.

Your **INSPECTION REPORT** includes three sections: **1) Key Findings**, **2) Property Information**, and **3) Inspection Agreement**. It is important to evaluate all three sections in order to fully understand the property and general conditions. The following definitions may be helpful in reviewing your reports.

☒ Action Items may include:

- Items that are no longer functioning as intended
- Conditions that present safety issues
- Items or conditions that may require repair, replacement, or further evaluation by a specialist
- Items that were inaccessible

☒ Consideration Items may include:

- Conditions that may require repair due to normal wear and the passage of time.
- Conditions that have not significantly affected usability or function- but may if left unattended.

SECTION I. KEY FINDINGS

This section is designed to summarize the findings and conditions that may require your immediate attention. Typically, the Key Findings Summary is used to help prioritize issues with other parties involved in the real estate transaction (home buyer, home seller, and real estate agents). *It is important to review carefully all sections of your report and not rely solely on the Key Findings summary.*

SECTION II. PROPERTY INFORMATION

This section contains our detailed findings on all items inspected. Component locations, system types and details, maintenance tips, and other general information about the property will be included as appropriate.

SECTION III. INSPECTION AGREEMENT

This section details the scope of the inspection. BY ACCEPTANCE OF OUR INSPECTION REPORT, YOU ARE AGREEING TO THE TERMS OF OUR INSPECTION AGREEMENT. A copy of this agreement was made available immediately after scheduling your inspection and prior to the beginning of your inspection. In addition, a copy is included on our website with your final inspection report.

To retrieve your full **PROPERTY INSPECTION REPORT** (all 3 sections) from our Web site:

- Point your web browser to <http://www.inspections.landam.com>
- Click on **View Your Inspection Report**
- Enter the **Report Id** and **Client Last Name** (shown below)
 - Report Id: 07-99999.1
 - Client's Last Name: Clarke
- Follow the instructions to either view the report online or download it to your computer.

Again, thank you for selecting us as your inspection company. Please contact our Customer Service Center at 800-285-3001 should you have any questions about your reports or desire additional assistance.

Action Items**3. Exterior****3.3 DRIVEWAY(S), PATIO(S), and WALKWAY(S)**

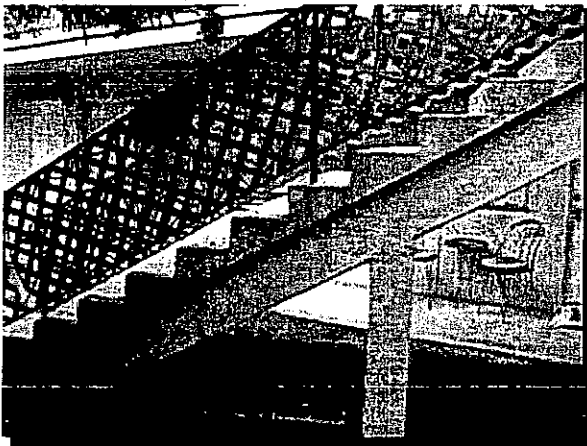
- ☒ (2) There are several cracks and vertical displacement greater than 3/4 of an inch in the walkways. This is a potential trip concern for persons using the walkways. As a safety upgrade, grinding down the affected areas is recommended.



3.3 Picture 2

3.4 DECK(S), BALCONIES, STEP(S), PATIO COVER(S) and RAILING(S)

- ☒ (1) The exterior stair handrails at the right side (facing front) are damaged a baluster is corroded and and broken free from the concrete step. All handrails or guardrails need proper attachment or securing to provide adequate support and safety. Have a qualified technician repair or replace the railing.

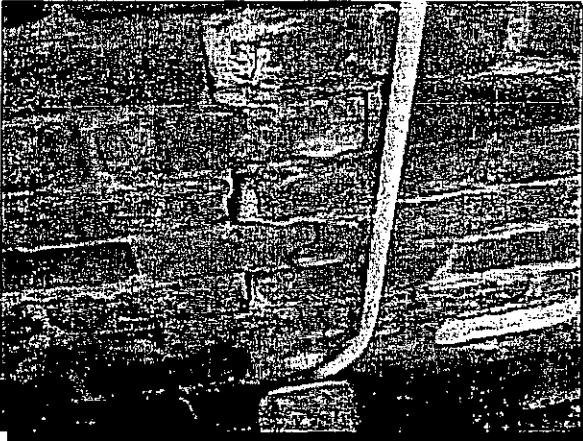


3.4 Picture 1

- ☒ (3) The balcony surface has some cracks. All cracks should be sealed and the surface coated with a water proof non-skid top coat.

Action Items**3. Exterior****3.6 FENCES and GATES**

- ☒ Settlement cracking of south brick and mortar pony wall. Stabilize and repair crack.



3.6 Picture 1

6. Electrical**6.2 SERVICE ENTRANCE CONDUCTORS and EQUIPMENT**

- ☒ (1) The height of the service mast is too short according to current requirements and comes out of the wall instead of the top of the roof. Consider installing a proper electrical service mast.

6.5 EXTERIOR RECEPTACLES, SWITCHES, and FIXTURES

- ☒ Open junction box in front garden box. This is an electrical safety issue. Raise the junction box out of the dirt and properly enclose

Action Items

10: Interiors

Action Items**10.2 GENERAL COMMENTS ABOUT THE INTERIOR**

Action Items

☒ (2)

Unit	Comments
1	<ol style="list-style-type: none"> 1. No Smoke Detector 2. Garbage Disposal bound 3. Kitchen exhaust fan is not functioning 4. Bathroom – surface mold on walls above tub/shower surround (picture).
2	<ol style="list-style-type: none"> 1. Bathroom - Water damage behind vanity and above the window. 2. Kitchen exhaust fan is not functioning.
3	<ol style="list-style-type: none"> 1. Living window cracked at lower left corner of slider. 2. Kitchen exhaust fan is not functioning 3. Smoke detector not working 4. Bathroom – toilet tank is loose.
4	<ol style="list-style-type: none"> 1. Bedroom Window – 40" off the ground 96" wide. 2. Smoke detector not working 3. Bathroom – toilet tank is loose. 4. Bathroom – Basin stop is not working 5. Bathroom – Escutcheon ring loose on the hot water valve.
5	<ol style="list-style-type: none"> 1. Bathroom – toilet tank is loose. 2. Bathroom – damage to tile surround. 3. Bathroom – Escutcheon ring missing on the hot water valve.
6	No issues, attic access.
7	<ol style="list-style-type: none"> 1. Smoke detector not working. 2. Bathroom – damage to tile surround and walls.
8	<ol style="list-style-type: none"> 1. Past water damage at the ceiling above the entry. 2. Kitchen faucet loose. 3. Past water damage under kitchen sink. 1. Smoke detector not working. 1. Bathroom – tub shower diverter valve is bound unable to test shower.

Action Items

9	1. Smoke detector not working.
---	--------------------------------

13 Laundry

13.2 CLOTHES WASHER

- ☒ Washer has previously overflowed. This may be caused by clogged lines or inadequately sized DWS plumbing. Further inspection may be warranted to resolve and correct this condition.

Consideration Items

1: Introductory Notes

1.3 OVERALL BUILDING CONDITIONS

- ☒ (2) There is no ADA compliant access from the south side. However ADA compliant access could be made possible using the north side.

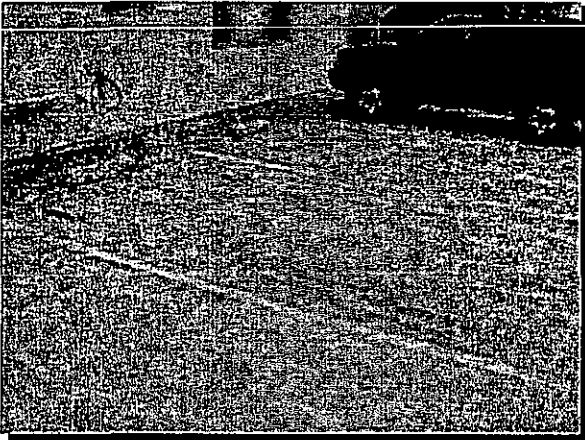
1.6 CONDOMINIUM NOTES

- ☒ (1) Funds for maintenance or replacement should be kept on hand, based on the annualized costs of each common area item. Information in this regard is contained in the "resale certificate" which should be available from the Owner's Association.
- SUGGESTION: We recommend that you review this document prior to close of escrow.
- ☒ (2) This property appears to have been converted to individually owned units after original construction.
- SUGGESTION: Additional information should be obtained through the Owner's Association and/or local building authority.
- ☒ (3) We could not confirm the presence of proper fire-rated walls between the units.
- SUGGESTION: The original plans and specifications might be available for review to verify that such protection was originally intended. Or, the client can consult with the Owner's Association to determine whether or not adequate firewalls are in place.

3: Exterior

3.3 DRIVEWAY(S), PATIO(S), and WALKWAY(S)

- ☒ (1) There are common cracks and some settling in the driveway. The driveway is otherwise in adequate condition. Sealing the cracks and resurfacing will extend the useful life of the drives



3.3 Picture 1

3.4 DECK(S), BALCONIES, STEP(S), PATIO COVER(S) and RAILING(S)

- ☒ (2) Balcony is fully cantilevered and should be regularly monitored for structural integrity additionally modifications (like replacement of concrete decking) should be carefully planned to not overload the cantilevered supports.

Consideration Items

3: Exterior

3.8 WALL CLADDING and TRIM

- ☒ (1) Sections of the stucco at the front, rear and sides of the structure are damaged. A qualified technician could make repairs or modifications as necessary.



3.8 Picture 1

- ☒ (2) There are moderately-sized cracks at several locations in the stucco. Such cracks can allow water to enter the wall cavity and cause damage to structural components. A qualified technician could make repairs or modifications as necessary.
- ☒ (3) Minor weep screed damage at the North stairs. Repair as part of routine maintenance.

3.9 DOORS (Exterior)

- ☒ No handle on water heater closet door. Install handle.

5: Plumbing

5.7 WATER HEATING SYSTEM

- ☒ (1) No drip leg in gas supply line.
- ☒ (2) No dielectric fittings at plumbing connections. Use dielectric fittings when unit is replaced.

5.8 FUEL GAS SYSTEM

- ☒ There is no "emergency seismic shut off" meter wrench in the vicinity of the gas meter. A meter wrench is recommended in areas subject to seismic activity. An emergency shutoff wrench should be chained to the meter to provide a convenient means for shutoff in an emergency. The valve can be turned 90 degrees in either direction to shut the gas supply off.

6: Electrical

6.7 GFCI CONDITIONS (GROUND FAULT CIRCUIT INTERRUPTERS)

- ☒ We recommend upgrading by installing GFCI receptacles in all locations required by present standards. This includes locations in bathrooms, garages, exteriors, basements and crawl spaces, kitchens and laundry within six feet of the sink. They are also commonly utilized for equipment such as sump pumps, whirlpools, spas and pool equipment. GFCI's have two different forms: receptacles with test/reset buttons, and panel breakers, and either form is effective in protecting appropriate outlets or fixtures. Consider upgrading unprotected receptacles in areas where GFCI protection is presently required. A qualified electrician should do the work.

6.8 AFCI CONDITIONS (ARC FAULT CIRCUIT INTERRUPTERS)

- ☒ AFCI protection is not present but was not required when constructed. However, we recommend installation of AFCIs to protect sleeping area.

Consideration Items**13. Laundry****13.4 LAUNDRY AREA VENTILATION**

- ☒ (1) Dry wall damage to laundry room. Repair as needed. Also there is an existing large patch on the west wall of the laundry, see seller for cause..
- ☒ (2) Laundry room has no flooring , install flooring as part of upgrade.

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Legend ☐ No Action Items Found ☒ Action Item ☒ Consideration Item

Introductory Notes			
1.0	IMPORTANT CLIENT INFORMATION	X	
1.1	INSPECTION SCOPE	X	
1.2	ENVIRONMENTAL	X	
1.3	OVERALL BUILDING CONDITIONS	X	<input checked="" type="checkbox"/>
1.4	PERMITS	X	
1.5	PICTURES	X	
1.6	CONDOMINIUM NOTES	X	<input checked="" type="checkbox"/>
Structure			
2.0	IMPORTANT CLIENT INFORMATION	X	
2.1	STRUCTURE INSPECTION LIMITATIONS	X	
2.2	CONCRETE SLAB	X	
2.3	ROOF STRUCTURE	X	
2.4	WALLS (Structural)	X	
Exterior			
3.0	IMPORTANT CLIENT INFORMATION	X	
3.1	EXTERIOR INSPECTION LIMITATIONS	X	
3.2	VEGETATION	X	
3.3	DRIVEWAY(S), PATIO(S), and WALKWAY(S)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3.4	DECK(S), BALCONIES, STEP(S), PATIO COVER(S) and RAILING(S)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3.5	GRADING, DRAINAGE, and RETAINING WALL(S)	X	
3.6	FENCES and GATES	<input checked="" type="checkbox"/>	
3.7	EAVES, SOFFITS and FASCIAS	X	
3.8	WALL CLADDING and TRIM	X	<input checked="" type="checkbox"/>
3.9	DOORS (Exterior)	X	<input checked="" type="checkbox"/>
3.10	WINDOWS	X	
Roofing			
4.0	IMPORTANT CLIENT INFORMATION	X	
4.1	ROOF INSPECTION LIMITATIONS	X	
4.2	ROOF COVERINGS	X	
4.3	FLASHINGS and PENETRATIONS	X	
Plumbing			
5.0	IMPORTANT CLIENT INFORMATION	X	
5.1	PLUMBING INSPECTION LIMITATIONS	X	
5.2	MAIN WATER SHUT-OFF DEVICE	X	
5.3	WATER SUPPLY PIPING and FLOW/PRESSURE	X	
5.4	FIXTURES and FAUCETS	X	
5.5	DRAIN, WASTE and VENTS PIPING	X	
5.6	WATER HEATER(S) INSPECTION LIMITATIONS	X	

5.7	WATER HEATING SYSTEM	X	<input checked="" type="checkbox"/>
5.8	FUEL GAS SYSTEM	X	<input checked="" type="checkbox"/>
5.9	GAS METER INSPECTION LIMITATIONS	X	
Electrical			
6.0	IMPORTANT CLIENT INFORMATION	X	
6.1	ELECTRICAL INSPECTION LIMITATIONS	X	
6.2	SERVICE ENTRANCE CONDUCTORS and EQUIPMENT	<input checked="" type="checkbox"/>	
6.3	MAIN DISTRIBUTION PANEL and CIRCUIT BREAKERS	X	
6.4	WIRING	X	
6.5	EXTERIOR RECEPTACLES, SWITCHES, and FIXTURES	<input checked="" type="checkbox"/>	
6.6	INTERIOR RECEPTACLES, SWITCHES, and FIXTURES	X	
6.7	GFCI CONDITIONS (GROUND FAULT CIRCUIT INTERRUPTERS)	X	<input checked="" type="checkbox"/>
6.8	AFCI CONDITIONS (ARC FAULT CIRCUIT INTERRUPTERS)	X	<input checked="" type="checkbox"/>
Heating and Cooling			
7.0	IMPORTANT CLIENT INFORMATION	X	
7.1	HEATING and COOLING INSPECTION LIMITATIONS	X	
7.2	HEATING SYSTEM(S)	X	
Attic			
8.0	IMPORTANT CLIENT INFORMATION	X	
8.1	ATTIC INSPECTION LIMITATIONS	X	
8.2	ATTIC ACCESS and GENERAL CONDITIONS	X	
8.3	ATTIC MOISTURE and VENTILATION	X	
8.4	ATTIC INSULATION	X	
Garage			
9.0	IMPORTANT CLIENT INFORMATION	X	
9.1	GARAGE INSPECTION LIMITATIONS	X	
9.2	GARAGE FLOOR	X	
Interiors			
10.0	IMPORTANT CLIENT INFORMATION	X	
10.1	LIMITATIONS to the INTERIOR INSPECTION	X	
10.2	GENERAL COMMENTS ABOUT THE INTERIOR	<input checked="" type="checkbox"/>	
10.3	CEILINGS and WALLS	X	
10.4	FLOORS	X	
10.5	WINDOWS	X	
10.6	DOORS AND CLOSETS	X	

Legend

X No Action Items Found

☒ Action Item☒ Consideration Item

10.7	SMOKE DETECTOR(S)	X		
Kitchen				
11.0	IMPORTANT CLIENT INFORMATION	X		
11.1	KITCHEN INSPECTION LIMITATIONS	X		
11.2	SINK(S) and GROUT/CAULKING	X		
11.3	COUNTERTOP and CABINETS	X		
11.4	RANGE(S), OVEN(S), and COOKTOP(S)	X		
11.5	GARBAGE DISPOSAL(S)	X		
11.6	RANGE HOOD/EXHAUST	X		
Bathrooms				
12.0	IMPORTANT CLIENT INFORMATION	X		
12.1	WASH BASIN(S)	X		
12.2	TOILET(S)	X		

12.3	SHOWER WALLS and ENCLOSURE	X		
12.4	BATHTUB(S)	X		
12.5	FLOOR	X		
12.6	BATHROOM VENTILATION	X		
Laundry				
13.0	LAUNDRY APPLIANCES and PLUMBING INSPECTION LIMITATIONS	X		
13.1	CLOTHES WASHER and DRYER HOOK-UPS	X		
13.2	CLOTHES WASHER		<input checked="" type="checkbox"/>	
13.3	CLOTHES DRYER	X		
13.4	LAUNDRY AREA VENTILATION	X		<input checked="" type="checkbox"/>
13.5	DRYER VENT	X		

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10 Interiors	31
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Date: 7/9/2007	Time: 9:19 AM	Report ID: 07-99999.1
Property: 1244 Oliver, San Diego, Ca 92109	Prepared By: Michael Goodrich	

General Information

Scope

This inspection is a non-invasive examination of readily accessible systems and components as outlined in ASTM 2018 E and The City Of San Diego BCR ordinance. In compliance, our reports are subject to the Definitions, Scope, Limitations, Exceptions, and Exclusions as outlined in the Standards of Practice. A copy of the Standards of Practice may be obtained from your inspector or from the web site identified in our Inspection Agreement.

In general, building inspections include a visual examination of readily accessible systems and components to help identify material defects – as they exist at the time of the inspection. This is not a technically exhaustive inspection and will not necessarily list all minor maintenance or repair items. Latent, inaccessible, or concealed defects are excluded from this inspection. Inspectors do not move furniture, appliances, personal items, or other materials that may limit his/her inspection. We do not report on cosmetic or aesthetic issues. Unless otherwise stated, this is not a code inspection. We did not test for environmental hazards or the presence of any potentially harmful substance.

Use of Reports

If the inspection is performed in connection with the sale, exchange or transfer of the property, copies of the report may be provided to the principals in the transaction and their agents. However, the report is for your sole information and benefit. We do not intend for anyone but the person(s) listed on this report to benefit, directly or indirectly, from this agreement and inspection report. Our contractual relationship is only to the person(s) purchasing our report/service.

Inspection Agreement

BY ACCEPTANCE OF OUR INSPECTION REPORT, YOU ARE AGREEING TO THE TERMS OF OUR INSPECTION AGREEMENT. A copy of this agreement was made available immediately after scheduling your inspection and prior to the beginning of your inspection. In addition, a copy is included on our website with your final inspection report. You should review the liability limitations and terms of the agreement carefully before accepting your inspection report. Should you discover a defect for which we may be liable to you, you must notify us and give us a reasonable opportunity to re-inspect the property before you repair the defect.

A part of many real estate transactions are contingencies limiting the time available for follow up inspections, repair work, or further inquiries. We are not responsible for any investigations that are not completed prior to the end of the contingency period.

Report Definitions

The following definitions of comment descriptions represent this inspection report.

Inspected: The item was visually observed and appears to be functioning as intended.

Not Inspected: The item was not inspected (reason for non-inspection should be noted):

Not Present: The item was not found or is not present.

Action Item: The item is not functioning as intended or needs repair or further evaluation.

Consideration Item: The item should be monitored and repair/replacement should be considered. (Includes definitions, helpful tips, recommended upgrades, conditions requiring repair due to normal wear, and conditions that have not significantly affected usability or function - but may if left unattended).

Building Status: Occupied With a Normal Amount of Interior Furnishings	Style of Home: Multi-Plex Residential Dwelling	Age Determination: By Client
--	--	--

Age Of Home: 41 to 45 Years	Attendees: Client	Home Viewed From: Street
Weather: Partly Cloudy	Outside Temperature: 60 - 70 degrees	Soil Condition: Dry
Lot Topography: Nearly Flat	Standards of Practice: City Of San Diego BCR Ordinance And ASTM 2018 E	

1. Introductory Notes

Inspection Items

1.0 IMPORTANT CLIENT INFORMATION [Inspected]

Please read the inspection report's "Action Summary" for a detailed description of conditions that need immediate attention, and details on repairs that are likely to be costly. Also, please read the report's "Considerations Summary" for a list of definitions, helpful tips, recommended upgrades, items that should be monitored, non-critical conditions requiring repair that arise due to normal wear and tear and the passage of time and conditions that have not significantly affected usability or function - but may if left unattended.

Any information regarding warranties or guarantees on the repairs should be obtained from the individual trades people who performed the work.

1.1 INSPECTION SCOPE [Inspected]

The purpose of this inspection was to evaluate the building for function, operation and condition of its systems and components. The inspection does not include any attempt to find or list cosmetic flaws. You, the client, are the final judge of aesthetic issues. The presence of furnishings, personal items and decorations in occupied structures sometimes limits the scope of the inspection. For instance, the placement of furniture prevents access to every electrical receptacle. The presence or extent of building code or zoning violations is not the subject of this inspection nor is it included in this report. No information is offered on the legal use, or possible uses of the building or property. Information with regard to these issues may be available from the appropriate building and/or zoning agency. Important information about this property may be a matter of public record. However, a search of public records is not in the scope of this inspection. We recommend the buyer review all appropriate public records if this information is desired. We recommend that the buyer conduct a thorough pre-closing walkthrough inspection before closing escrow.

1.2 ENVIRONMENTAL [Inspected]

1. Introductory Notes

SHOULD I TEST FOR MOLD?

The Environmental Protection Agency does not recommend testing as a first step to determine if you have a mold problem. Reliable air sampling for mold can be expensive and requires expertise and equipment that is not available to the general public. Property owners generally will need to pay a contractor to carry out such sampling, because insurance companies and public health agencies seldom provide this service. Mold inspection and cleanup is usually considered a housekeeping task that is the responsibility of the owner or landlord, as are roof and plumbing repairs, house cleaning, and yard maintenance. Another reason the health department does not recommend testing for mold contamination is that there are few available standards for judging what is an acceptable quantity of mold for any of the thousands of species. In all locations, there is some level of airborne mold both indoors and outdoors. Because individual susceptibility varies so greatly, sampling is at best a general guide.

The simplest way to deal with a suspicion of mold contamination is, if you can see or smell mold, you likely have a problem and should take steps outlined below. Mold growth is likely to recur unless the source of moisture that is allowing mold to grow is removed and the contaminated area cleaned.

If you have concerns about mold and or other indoor air quality issues we recommend that you contact specialists in the field such as the Centers for Disease Control, the Environmental Protection Agency and other true experts. Be prepared to receive differing opinions from different experts.

For further information regarding mold and other indoor air contaminants we recommend that you visit the CDC website at: <http://www.cdc.gov> or the EPA at: <http://www.epa.gov/iaq/molds>

1.3 OVERALL BUILDING CONDITIONS [Inspected]

(1) The basic visible components and systems in this building are in generally adequate condition, other than exceptions noted in this report.



(2) There is no ADA compliant access from the south side. However ADA compliant access could be made possible using the north side.

1.4 PERMITS [Inspected]

Confirmation should be obtained from the owner, or in their absence, the local building department, that all necessary permits for appropriate construction and/or remodeling were secured, appropriate inspections were performed and all requisite final signatures have been obtained.

1.5 PICTURES [Inspected]

Any pictures included in this report are not meant to represent every defect that has been found. There may be action items that do not have a picture included. We suggest reading the key findings to find all of the defects that have been reported on. Pictures, if included, represent only the key finding associated with that picture. If you have any questions on the key findings, please contact the inspector for clarification.

1.6 CONDOMINIUM NOTES [Inspected]

(1) Funds for maintenance or replacement should be kept on hand, based on the annualized costs of each common area item. Information in this regard is contained in the "resale certificate" which should be available from the Owner's Association.

- SUGGESTION: We recommend that you review this document prior to close of escrow.



(2) This property appears to have been converted to individually owned units after original construction.

- SUGGESTION: Additional information should be obtained through the Owner's Association and/or local building authority.



(3) We could not confirm the presence of proper fire-rated walls between the units.

- SUGGESTION: The original plans and specifications might be available for review to verify that such protection was originally intended. Or, the client can consult with the Owner's Association to determine whether or not adequate firewalls are in place.

2: Structure

Our inspection of the structure included a visual examination of the exposed, readily accessible portions of the structure. These items were examined for visible defects, excessive wear, and general condition. Many structural components are inaccessible because they are buried below grade or are behind finished surfaces. Therefore, much of the inspection was performed by looking for visible symptoms of movement, damage and deterioration. Where there are no symptoms, conditions requiring further review or repair may go undetected and identification is not possible without destructive testing. We make no representations as to the internal conditions or stability of soils, concrete footings and foundations, except as exhibited by their performance. We cannot predict when or if foundations or roofs might leak in the future.

Styles & Materials

Foundation Type and Material: Poured Concrete Slab	Wall Structure: 2 X 4 Wood	Roof Structure: Conventional Rafter 2 X 6 Nominal Lumber Plywood
Ceiling Structure: 2X4 2X6 2X8 Extra Info : Ceiling joists as part of site built trusses	Floor Structure: Concrete Slab Not Visible Wood Joists	Floor Insualtion: Not Visible
Wall Insualtion: Not Visible		

Inspection Items**2.0 IMPORTANT CLIENT INFORMATION [Inspected]**

Inspection of the building structure includes the following components, as applicable: building foundation, floor framing, under floor ventilation, foundation anchoring, cripple wall bracing, structural walls, roof framing, insulation, and wood separation from soil.

A determination of the ability of this structure to withstand damage in an earthquake requires an engineering analysis, which is beyond the scope of this inspection. If further information is desired, contact a qualified engineer.



2.0 Picture 1

2.1 STRUCTURE INSPECTION LIMITATIONS [Inspected]

Finished surfaces conceal various roof components. Interior finishes can prevent evaluation of ceiling joists, purlins and supports, rafters and sheathing..

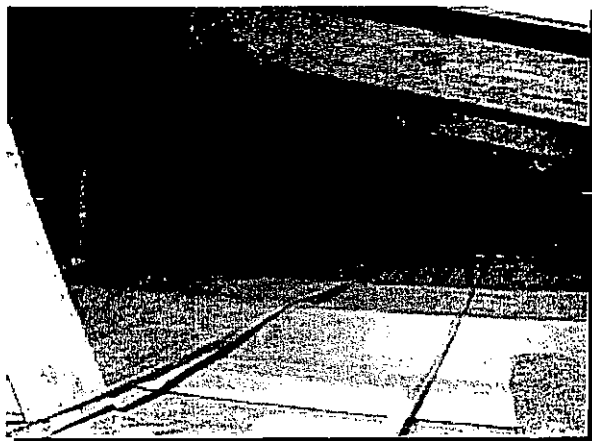
2.2 CONCRETE SLAB [Inspected]

The concrete floor slab is in adequate condition. However, there are some small cracks. This type of cracking is common and usually is not structurally significant.

2.3 ROOF STRUCTURE [Inspected]

2: Structure

Attic view roof structure



2.3 Picture 1

2.4 WALLS (Structural) [Inspected]**3: Exterior**

Our inspection of the building exterior included a visual examination. Items are examined for defects, excessive wear, and general state of repair. Exterior wood components are randomly probed. We do not probe everywhere. Varying degrees of exterior deterioration could exist in any component. Vegetation, including trees, is examined only to the extent that it is affecting the structure.

Styles & Materials

Driveway Surface: Concrete on Grade	Walkway Surface: Concrete on Grade	Patio Surface: Concrete on Grade
Window Material: Exposed Aluminum Frame Single Pane	Cladding: Stucco Wood Siding Brick & Mortar	Soffit/Fascia: Wood Extra Info : Drywall enclosed
Trim: Wood	Exterior Door Type: Steel	Retaining Wall: N/A
Fence: CMU Metal Wood	Gate: Wood	Primary Cladding: Stucco

Inspection Items**3.0 IMPORTANT CLIENT INFORMATION [Inspected]**

Inspection of the building exterior includes the accessible finished surfaces, wall cladding, windows, doors, trim, decks, porches, stairs and railings.

Inspection of the exterior site and grounds includes a visual examination of grading and drainage within five feet of the building, walkways, driveways, patios or retaining walls connected to or directly adjacent to the structure and wood separation from soil. These items are examined for excessive or unusual wear and general state of repair. No other features on the property grounds were examined unless specifically discussed in this report. Geological evaluations and the determination of soils stability are outside the scope of this inspection.

Fences, gates, out buildings, low voltage lighting, motion/photo cells, and soil conditions are not inspected and are beyond the scope of this inspection, unless specifically mentioned in the report.

3.1 EXTERIOR INSPECTION LIMITATIONS [Inspected]

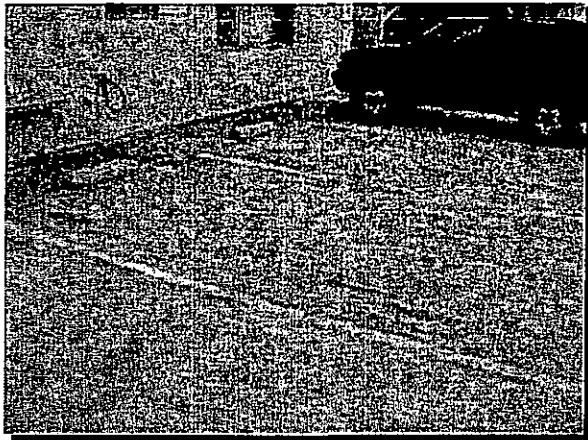
3. Exterior

Any wood destroying organism-damaged structural feature discussed in this report may extend into concealed or inaccessible areas. Any additional damage or deterioration found in the course of repair should also be corrected.

3.2 VEGETATION [Inspected]

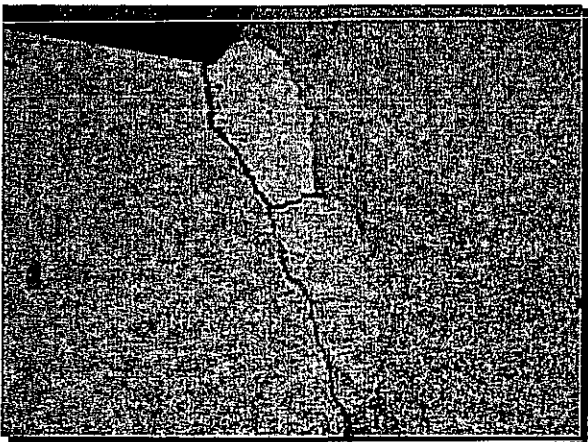
3.3 DRIVEWAY(S), PATIO(S), and WALKWAY(S) [Inspected]

- ☒ (1) There are common cracks and some settling in the driveway. The driveway is otherwise in adequate condition. Sealing the cracks and resurfacing will extend the useful life of the drives



3.3 Picture 1

- ☒ (2) There are several cracks and vertical displacement greater than 3/4 of an inch in the walkways. This is a potential trip concern for persons using the walkways. As a safety upgrade, grinding down the affected areas is recommended.

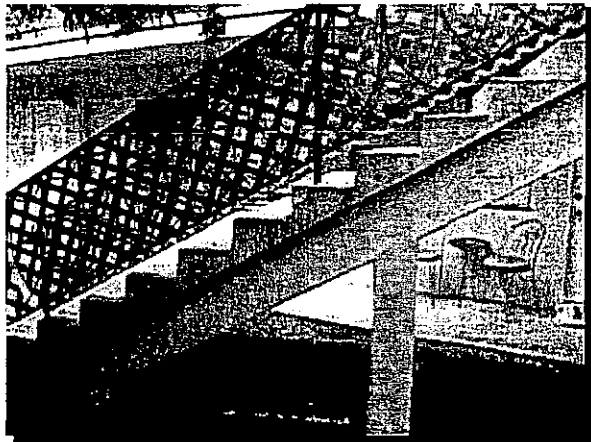


3.3 Picture 2

3.4 DECK(S), BALCONIES, STEP(S), PATIO COVER(S) and RAILING(S) [Inspected]

3. Exterior

- ☒ (1) The exterior stair handrails at the right side (facing front) are damaged a baluster is corroded and and broken free from the concrete step. All handrails or guardrails need proper attachment or securing to provide adequate support and safety. Have a qualified technician repair or replace the railing.



3.4 Picture 1

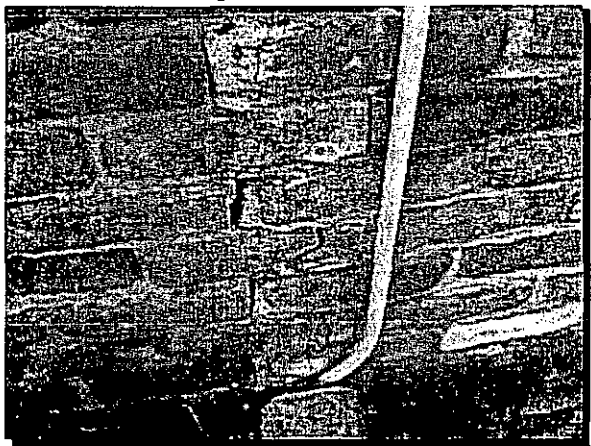
- ☒ (2) Balcony is fully cantilevered and should be regularly monitored for structural integrity additionally modifications (like replacement of concrete decking) should be carefully planned to not overload the cantilevered supports.
- ☒ (3) The balcony surface has some cracks. All cracks should be sealed and the surface coated with a water proof non-skid top coat.

3.5 GRADING, DRAINAGE, and RETAINING WALL(S) [Inspected]

The front garden box abuts the south wall, this can allow moisture intrusion in this area, stop watering this area or install a water proof barrier between the earth in the box and wall. Moisture intrusion can cause

3.6 FENCES and GATES [Inspected]

- ☒ Settlement cracking of south brick and mortar pony wall. Stabilize and repair crack.



3.6 Picture 1

3.7 EAVES, SOFFITS and FASCIAS [Inspected]

3.8 WALL CLADDING and TRIM [Inspected]

3. Exterior

- ☒ (1) Sections of the stucco at the front, rear and sides of the structure are damaged. A qualified technician could make repairs or modifications as necessary.



3.8 Picture 1

- ☒ (2) There are moderately-sized cracks at several locations in the stucco. Such cracks can allow water to enter the wall cavity and cause damage to structural components. A qualified technician could make repairs or modifications as necessary.
- ☒ (3) Minor weep screed damage at the North stairs. Repair as part of routine maintenance.

3.9 DOORS (Exterior) [Inspected]

- ☒ No handle on water heater closet door. Install handle.

3.10 WINDOWS [Inspected]**4. Roofing**

Our inspection of the readily accessible roof system included a visual examination to determine damage or material deterioration. We walk on the roof only when it is safe to do so and is not likely to damage the roof materials. We look for evidence of roof system leaks and damage. We cannot predict when or if a roof might leak in the future.

Styles & Materials

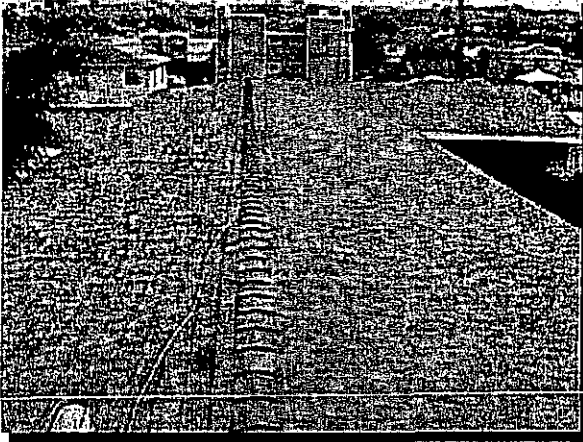
Roof Inspection Method: Walked Roof	Primary Roof-Type: Gable	Primary Roof Covering: Asphalt/Fiberglass Shingles
Primary Roof Slope: Medium	Condition of Primary Roof: 1st Third of Serviceable Life	Estimated Roof Covering Age: 5 years
Flashing: Metal	Valley Flashing Material: Woven Shingles	

Inspection Items**4.0 IMPORTANT CLIENT INFORMATION** [Inspected]

4. Roofing

All roof systems require annual (or even more frequent) maintenance. Failure to perform routine roof maintenance will usually result in leaks and accelerated deterioration of the roof covering and flashings. Any estimate of remaining life expectancy must be based on the assumption that the roof will be conscientiously maintained.

Inspection of the roof surface, attic, and interior spaces should not be interpreted as a certification that this roof is or will be free of leaks. The function of flashing is to seal the joints that occur between roofing materials, roof penetrations, walls, or other structural features. Because flashing is installed under roofing and siding materials, it is common for it to be not visible. We cannot verify its presence. Any joint that has missing, damaged or improperly installed flashing can be a leak source. All roof systems require periodic maintenance. Failure to perform routine roof maintenance will usually result in leaks and accelerated deterioration of the roof covering, flashings and other components.



4.0 Picture 1

- 4.1 ROOF INSPECTION LIMITATIONS [Inspected]
- 4.2 ROOF COVERINGS [Inspected]
- 4.3 FLASHINGS and PENETRATIONS [Inspected]

5. Plumbing

Our inspection of the plumbing system included a visual examination to determine defects, excessive wear, leakage, and general state of repair. Plumbing leaks can be present but not evident in the course of a normal inspection. A sewer lateral test to determine the condition of the underground sewer lines is beyond the scope of this inspection. Our review of the plumbing system does not include landscape irrigation systems, water wells, on site and/or private water supply systems, water quality, off site community water supply systems or private (septic) waste disposal systems unless specifically noted.

**5. Plumbing:
Styles & Materials**

Water Source: Public	Main Water Shutoff Location: Exterior Front Meter	Water Supply Pressure: 40-50 psi
Water Pressure Regulator: No	Exterior Water Supply Pipes: Copper	Interior Water Supply: Copper
Waste/Drain/Vent Pipe Material: ABS Cast Iron Galvanized Steel	Piping Support: Not Visible	Water Heater Capacity(s): 75 Gallon
Water Heater Power Source: Natural Gas	Water Heater Flue: Metal	Water Heater Location(s): Exterior Closet
Water Heater Manufacturer: A.O. Smith	Water Heater Age: Greater than 10 Years- Beyond Servicable Life	Main Sewer Cleanout Location: Rear
Gas Shutoff Location: Meter Left Side	Gas Type: Natural Gas	

Inspection Items**5.0 IMPORTANT CLIENT INFORMATION** [Inspected]

5. Plumbing:

A temperature and pressure relief valve is a safety valve installed near the top of a water heater tank that allows any dangerous buildup of pressure or high temperature water to escape. It is designed to discharge if the internal temperature or pressure of the tank exceeds the limits set by the manufacturer of the valve.

The position of the hot and cold water controls on all plumbing fixtures should meet accepted industry standards. These standards dictate that hot water controls are always located on the left and cold controls are located on the right. With single handle faucets, turning the handle to the left should increase the flow of hot water, while turning the handle to the right should increase the flow of cold water.

For a smoother flow of water with less splashing, all aerators should be cleaned periodically.

We cannot identify the pipe material that is buried in the exterior yard. During the inspection, we only operate the valves or faucets that are normally operated by the occupants in their daily use of the plumbing system.

Be aware that we will not operate:

- The main water supply shutoff (although we will report on its existence and location when accessible)
- The temperature & pressure relief valve on the water heater (although we will note its existence and check its installation)
- The water heater tank supply or drain valves
- Any stop valves supplying water to plumbing fixtures
- The laundry supply shutoff valves.

Any valve that is not operated on a regular basis may fail; that is, start leaking or dripping, when tested.

This inspection does not include evaluation of public sewage systems. It does not include private waste disposal. The typical scope of our inspection of the plumbing system in all buildings includes the visible water supply piping, fixtures and drain, waste and vent piping physically located in the confines of the building. We do not inspect the building drain between the building and its discharge point at the sanitary district collection system, or private waste disposal system.

5.1 PLUMBING INSPECTION LIMITATIONS [Inspected]

Our inspections may only detect the presence of visible leaks, i.e. leaks may go undetected within wall, floor, or ceiling cavities, or may go undetected at exterior and underground locations.

We did not test the quality of the water supplied by the municipality. For information concerning water quality, we suggest contacting the municipality or utility company which provides the water, or have the water independently tested.

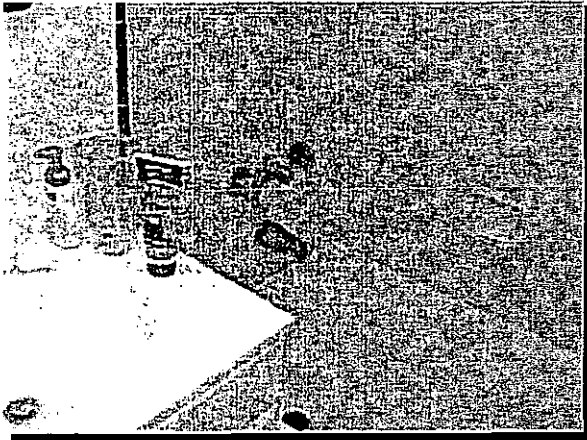
This inspection does not include evaluation of public sewage systems. It does not include private waste disposal systems unless specifically ordered by the client and discussed in this report. The typical scope of our inspection of the plumbing system in all buildings includes the visible water supply piping, fixtures and drain, waste and vent piping physically located in the confines of the building. We do not inspect the building drain between the building and its discharge point at the sanitary district collection system, or private waste disposal system.

We may note the presence of floor drains in our report. However, flow-testing the floor drains in your building, garage or outside stairwells is beyond the scope of this inspection. If you believe that the proper operation of any floor drain is critical, you should make arrangements with the seller to jointly test the drain(s) sometime between our inspection and the escrow closing, perhaps as a part of the pre-closing walk-through.

5.2 MAIN WATER SHUT-OFF DEVICE [Inspected]**5.3 WATER SUPPLY PIPING and FLOW/PRESSURE [Inspected]****5.4 FIXTURES and FAUCETS [Inspected]**

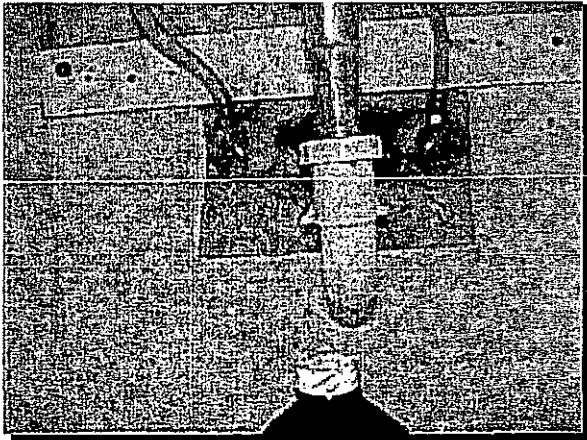
5. Plumbing

Fixtures



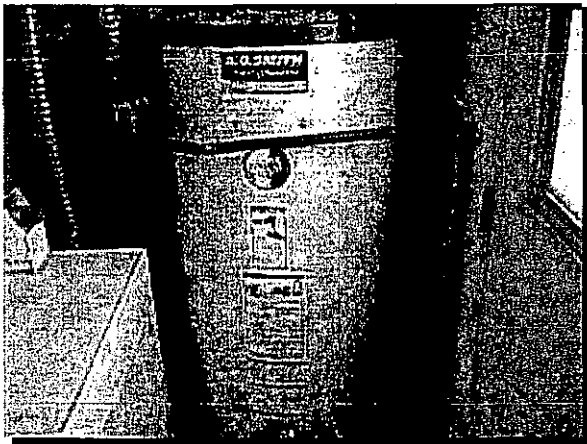
5.4 Picture 1

5.5 DRAIN, WASTE and VENTS PIPING [Inspected]
DWS



5.5 Picture 1

5.6 WATER HEATER(S) INSPECTION LIMITATIONS [Inspected]
Water heater



5.6 Picture 1

5.7 WATER HEATING SYSTEM [Inspected]

- ☒ (1) No drip leg in gas supply line.
- ☒ (2) No dielectric fittings at plumbing connections. Use dielectric fittings when unit is replaced.

5. Plumbing**5.8 FUEL GAS SYSTEM** [Inspected]

- ☒ There is no "emergency seismic shut off" meter wrench in the vicinity of the gas meter. A meter wrench is recommended in areas subject to seismic activity. An emergency shutoff wrench should be chained to the meter to provide a convenient means for shutoff in an emergency. The valve can be turned 90 degrees in either direction to shut the gas supply off.

5.9 GAS METER INSPECTION LIMITATIONS [Inspected]**6. Electrical**

Our inspection of the electrical system included a visual examination of readily accessible components including a random sampling of electrical devices to determine adverse conditions and improper wiring methods, grounding, bonding and overcurrent protection. Performing voltage tests, load calculations or determining the adequacy of the electrical system for future usage is outside the scope of this inspection. Telephone, video, audio, security system, landscape lighting, and other low voltage wiring was not included in this inspection unless specifically noted.

Styles & Materials

Electrical Service Conductors: Overhead Service #2 Copper	Service Ampacity: Inadequate 100 AMP Extra Info : Fused at 70 amps in a 100 amp rated panel	Circuit Protection Type: Circuit Breakers and Fuses
Branch Wiring: Copper	Wiring Type(s): Asphaltic Cloth Sheathed Cable	Main Panel Location: Exterior (rear of building)
Main Disconnect Location: In A Weather Tight Enclosure Near The Electric Meter	Grounding Type: Not Visible Extra Info : Ungrounded system	GFCI's Installed: None Present
Arc Fault Protection Present?: No	Sub Panel Location: Exterior Extra Info : In exterior electrical enclosure, one per unit.	Sub Panel Ampacity: Capacity by Shutoff Extra Info : 35 Amps Per Unit

Inspection Items**6.0 IMPORTANT CLIENT INFORMATION** [Inspected]

Testing the function of the main disconnect is not in the scope of this inspection. Determining if various electrical circuits will support the use of high load appliances (i.e. hair dryers, toasters, microwave ovens, space heaters, etc.) and testing the overcurrent protective protection to see if they 'trip', is beyond the scope of this inspection. We typically test not less than one outlet per room. Wiring devices blocked by furniture or personal goods will not be tested.

We strongly recommend against plugging any freezer or refrigerator into any electrical receptacle that is protected by a GFCI receptacle or circuit breaker. GFCI breakers and receptacles are prone to "nuisance tripping." If this happens, the refrigerator or freezer will shut down, and perishables can spoil.

6.1 ELECTRICAL INSPECTION LIMITATIONS [Inspected]

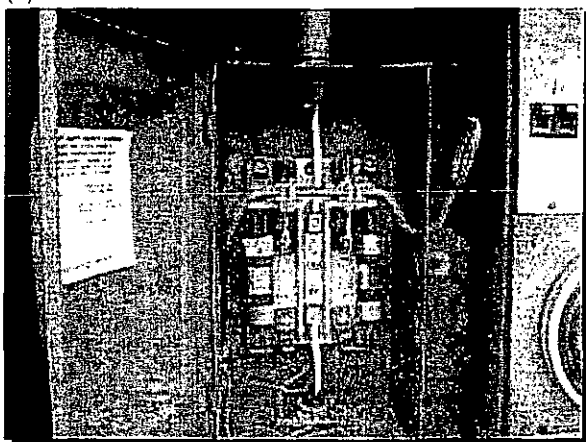
The light fixtures on the outside walls of the structure were tested when possible. Testing the operation of the landscape lighting, including any low voltage lighting systems, is beyond the scope of this inspection.

6.2 SERVICE ENTRANCE CONDUCTORS and EQUIPMENT [Inspected]

- ☒ (1) The height of the service mast is too short according to current requirements and comes out of the wall instead of the top of the roof. Consider installing a proper electrical service mast.

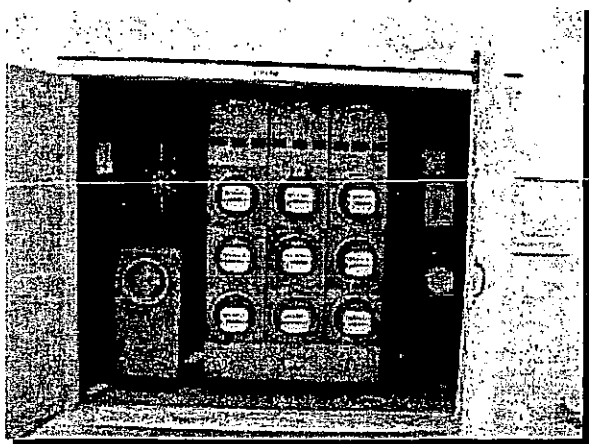
6. Electrical

(2) Main disconnect



6.2 Picture 1

- 6.3 **MAIN DISTRIBUTION PANEL and CIRCUIT BREAKERS** [Inspected]
Main distribution cabinet(Picture 1)



6.3 Picture 1

- 6.4 **WIRING** [Inspected]

- 6.5 **EXTERIOR RECEPTACLES, SWITCHES, and FIXTURES** [Inspected]

☒ Open junction box in front garden box. This is an electrical safety issue. Raise the junction box out of the dirt and properly enclose

- 6.6 **INTERIOR RECEPTACLES, SWITCHES, and FIXTURES** [Inspected]

- 6.7 **GFCI CONDITIONS (GROUND FAULT CIRCUIT INTERRUPTERS)** [Inspected]

☒ We recommend upgrading by installing GFCI receptacles in all locations required by present standards. This includes locations in bathrooms, garages, exteriors, basements and crawl spaces, kitchens and laundry within six feet of the sink. They are also commonly utilized for equipment such as sump pumps, whirlpools, spas and pool equipment. GFCI's have two different forms: receptacles with test/reset buttons, and panel breakers, and either form is effective in protecting appropriate outlets or fixtures.

Consider upgrading unprotected receptacles in areas where GFCI protection is presently required. A qualified electrician should do the work.

- 6.8 **AFCI CONDITIONS (ARC FAULT CIRCUIT INTERRUPTERS)** [Inspected]

☒ AFCI protection is not present but was not required when constructed. However, we recommend installation of AFCIs to protect sleeping area.

7. Heating and Cooling

Our inspection of the heating and cooling system included a visual examination of the system's major components to determine defects, excessive wear, and general state of repair. Weather permitting, our inspection of a heating or cooling system includes activating it via the thermostat and checking for appropriate temperature response. Our inspection does not include disassembly of the furnace; therefore heat exchangers are not included in the scope of this inspection. Ceiling fans are not typically inspected as they are not within the scope of the inspection.

Styles & Materials

Number of Heat Systems: One Extra Info : per unit	Heat Type: Wall Furnace	Heat Energy Source: Natural gas
Heat System Brand: None Extra Info : Williams	Heat System Location: First Floor Hallway Closet Extra Info : Wall mounted in living area	Furnace Flue: Metal
Heat Source in Each Room: No	Number of AC Units: None	

Inspection Items**7.0 IMPORTANT CLIENT INFORMATION [Inspected]**

The condensate drain terminates at a proper location on the exterior of the building. Water testing the condensate drain line is beyond the scope of this inspection. Condensate will drip out this termination point on the exterior of the building while operating the air conditioning system.

A duct system is generally defined as the continuous system of pipes through which conditioned or return air circulates within a structure. The system is usually considered to include the plenum, duct connections, boots, registers, fans, and all other air handling and air moving equipment with exclusion of the furnace itself.

The plenum is the portion of the ductwork attached directly to the furnace which acts as the termination or collector point for all the individual supply or return ducts attached to it.

Inspection of gas fired systems includes combustion air provision, venting, energy source connections and air distribution system.

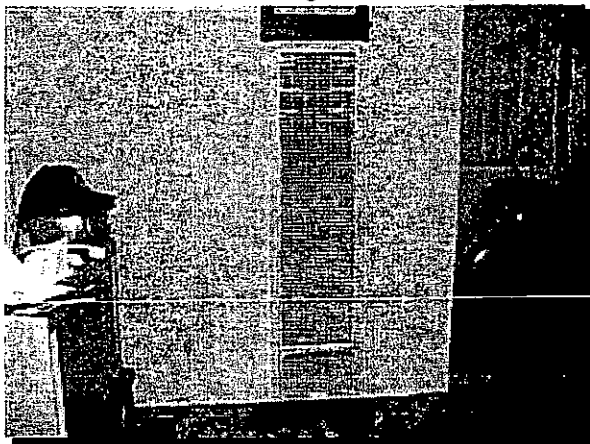
Inspection of compressed gas refrigeration systems (A/C) includes visual inspection of the compressor/condenser, refrigerant lines, air distribution system and condensate drain system. We do not test amperage draw or refrigerant pressures. A full technical evaluation of the condition of central air conditioning equipment requires extensive invasive testing that is beyond the scope of this inspection. It is not within the scope of this inspection to determine the optimum design capacity of the cooling equipment. The current air conditioning system may not be adequately sized to cool the house and/or any space addition.

Inspection of heat pump systems includes visual inspection of the compressor/condenser and the distribution system. The non-seasonal cycle of heat pumps was not tested. Industry standards recommend not running the heating cycle in warm seasons or the cooling cycle in cold weather. Typically, a satisfactory test in either the heating or cooling mode verifies all of the major components of the system are functioning, with the exception of the refrigerant reversing valve. Some heat pumps are equipped with emergency electric heat strips (located in the air handler). Testing of the emergency heat system is not in the scope of this inspection.

7.1 HEATING and COOLING INSPECTION LIMITATIONS [Inspected]

7. Heating and Cooling

The design and construction of a typical modern furnace heat exchanger prevents visual access to most of its surfaces. Disassembling a furnace (except for removing panels used for routine servicing) is beyond the scope of this inspection. Therefore, our view of these heat exchangers is necessarily limited. The inspection and evaluation of the condition of the cooling system was limited to visible components and their basic functions. We did not test amperage draw or refrigerant pressures. A full technical evaluation of the condition of central air conditioning equipment requires extensive invasive testing that is beyond the scope of this inspection. The thermostat(s) is a programmable device with many options for setback settings, timed events, etc... We made no attempt to test all of the functions of such thermostats. If you have any concerns, a more exhaustive and invasive inspection can be done by a qualified HVAC technician, who could remove burners, fan, or plenum as needed to gain access to all the components. The evaporator coil can act as an air filter, collecting dirt and dust that can circulate through the building. During cooling season, the dirt can clog the coil and block airflow, reducing the efficiency of the system. Have an HVAC technician clean the coil once a year. Refrigerant lines connect the evaporator coil and the condenser in an air conditioning or heat pump system. The hot side of the line is the conduit through which collected heat energy from the living area is conveyed to the condenser outdoors. Normally, the cold, (also called the suction, or return line) is the larger of the two. It should be insulated along its entire length.



7.1 Picture 1 Wall Furnace

7.2 HEATING SYSTEM(S) [Inspected]**8. Attic**

Our inspection of the readily accessible areas of the attic included a visual examination to determine any signs of defects, excessive wear, and general state of repair. When low clearance, framing design or obstructions, deep insulation and mechanical components prohibit walking safely in an unfinished attic, inspection is conducted from the available service platforms or access openings only.

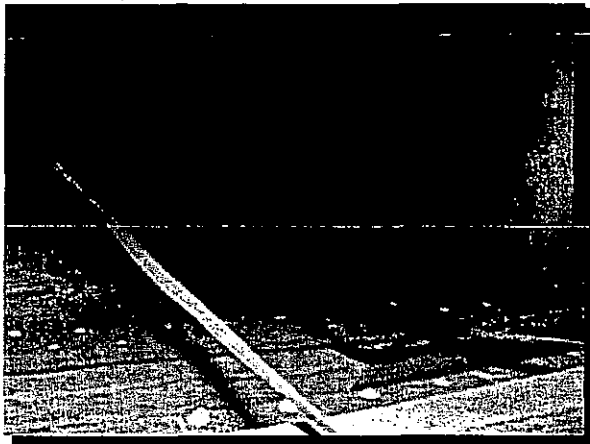
Styles & Materials

Method Used to Observe Attic: Inspected from access hatch	Attic Access: Hatch	Attic Insulation: None
Attic Ventilation: Gable Vents Extra Info : No vapor barrier, No fire walls		

Inspection Items**8.0 IMPORTANT CLIENT INFORMATION [Inspected]**

8. Attic

When inspections are conducted shortly after or during periods of prolonged rain, active roof leaks can often be identified by dampness at the interior of the structure. See the Introduction Section of this report for weather conditions at the time of this inspection. Most inspections, however, are not conducted under wet weather conditions and in such cases we cannot determine whether a leak is active or not. Further, some leaks occur only under severe or unusual wind driven conditions. Even during prolonged rain, an inspection may not reveal the exact circumstances under which water entry occurs.



8.0 Picture 1

8.1 ATTIC INSPECTION LIMITATIONS [Inspected]

Areas of the attic were inaccessible or could not be visually inspected due to installed HVAC ductwork, installed air handlers, installed trusses/or framework that impair access and insulation

8.2 ATTIC ACCESS and GENERAL CONDITIONS [Inspected]**8.3 ATTIC MOISTURE and VENTILATION [Inspected]****8.4 ATTIC INSULATION [Inspected]****9. Garage**

Our inspection of the garage included a visual examination of the readily accessible portions of the walls, ceilings, floors, vehicle and personnel doors, steps and stairways, fire resistive barriers, garage door openers and hardware if applicable.

Styles & Materials

Garage Type:		
Detached		
Extra Info : Ten marked surface parking spaces		

Inspection Items**9.0 IMPORTANT CLIENT INFORMATION [Inspected]**

Inspection of this area was limited to the surface coverings. The construction materials and manner of installation are inaccessible and concealed from view.

9.1 GARAGE INSPECTION LIMITATIONS [Inspected]**9.2 GARAGE FLOOR [Inspected]****10. Interiors**

Our inspection of the interior included a visual examination for structural and safety deficiencies. Please note that only a representative sample of accessible components was inspected.

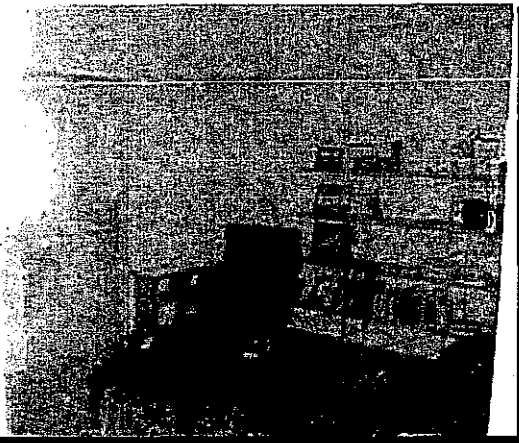
10. Interiors**Styles & Materials**

Ceiling Materials: Sheetrock/Drywall/Gypsum Board	Wall Material: Sheetrock/Drywall/Gypsum Board	Floor Covering(s): Carpet Sheet Vinyl
Window Material: Exposed Aluminum Frame	Primary Window Type/Design: Sliding	Interior Door Type: Wood Panel
Smoke Detectors Present: Yes Extra Info : Most smoke detectors non-functional	Fire Sprinklers: installed but beyond the scope of inspection Extra Info : No sprinklers, fire extinguishers at exterior each level	

Inspection Items**10.0 IMPORTANT CLIENT INFORMATION [Inspected]**

Interior inspection includes the readily accessible portions of the walls, ceilings, floors, doors, windows, cabinetry, countertops, steps, stairways, balconies, railings and absence of smoke alarms. Not included in the scope of inspection are cosmetic conditions of floor and wall covering or determination of failed seals in insulated windows and doors.

Inspection of fireplaces (if installed) includes: Chimney exterior, spark arrestor, firebox, damper and hearth extension. Inspection of chimney interiors requires specialized equipment and is beyond the scope of this inspection.



10.0 Picture 1

10.1 LIMITATIONS to the INTERIOR INSPECTION [Inspected]

10. Interiors

Most local jurisdictions which subscribe to one of the nationally recognized building codes have set minimum standards for alternate egress from bedrooms. Bedrooms which meet these local standards for egress are considered to be "conforming", while all other rooms cannot be eligible to be considered "legal" as bedrooms. Since a professional home inspection should never be construed as an inspection for compliance with any government adopted code or regulation, your inspector has not attempted to determine if any rooms are, or are not, "conforming" bedrooms.

We tested a representative sample of electric fixtures such as receptacles, switches and lights, but did not test every one. Electric fixtures are often found to be inoperable, or blocked by personal goods.

The general condition of floor covering in this property is not included within the scope of this inspection. We report only those floor covering conditions that are significant or indicative of safety or other building system problems.

A View Of Windows Because it is impossible during the relatively brief time of your building inspection to discover all possible or potential faults with all of the windows, we have prepared this information for the express purpose of enhancing the knowledge and refining the expectations of our Inspection clients. Our intent to give you an overview of the current condition of the windows, which may indicate need for general repairs, not a detailed listing of deficiencies.

FREQUENTLY ASKED QUESTIONS ABOUT WINDOWS Will all the windows in the building be inspected? Not normally. In occupied buildings (particularly with curtains, blinds or shades on the windows) we do not inspect every window. In fact, if most windows are concealed (covered or inaccessible) we may not inspect most windows. In unoccupied buildings, we will inspect a representative sample of windows. Do you operate all the windows that you inspect? No. We only check a representative sample of the windows. Our ability to operate windows is influenced by their accessibility, which can be impeded by furniture, personal property in the room, or curtains or blinds over the windows. Will the inspector find all of the breached seals in the windows he/she inspects? No. Physical damage to seals (usually breached seals) in double glazed windows cannot always be detected in a visual inspection. Typically, one has to look for symptoms such as fogging or staining between the layers of glass. Since staining can look a lot like dirt, and since fogging only occurs under certain conditions, the fogging caused by a breached seal is not always evident. You may find that the symptoms of breached seals become apparent to you after you have occupied the structure. What are the consequences of a breached seal in a double glazed window? A small breach in a double glazed window seal will not necessarily reduce the insulating value or view through it. Usually, the most significant problem is the appearance of the window. We know of no instances where the water vapor symptoms from a breached seal have ever gone away permanently. Once a seal is breached, the intrusion of water vapor typically increases. The only permanent cure for a breached seal is replacement of the damaged window unit. If breached seals cannot usually be detected during this inspection, then how can a buyer be confident that this condition does not exist in one or more windows or doors? Try this: Hold a piece of ice against the glass. If water drops form on the inside of the glass (where you can't wipe it off), the seal is breached. This test is beyond the scope of our inspection.

Since ceiling fan mounting boxes are concealed in the ceiling, they are inaccessible and cannot be inspected. Proper mounting of ceiling fans require the use of specially-designed boxes which must be properly secured to the ceiling structure. Proper mounting is necessary to ensure that the fan does not fall. If you have any doubt about any ceiling fan installation, we recommend a thorough check by a technician familiar with the manufacturer's installation instructions.

10.2 GENERAL COMMENTS ABOUT THE INTERIOR [Inspected]

(1) In addition to any specific rooms noted, we inspected all habitable rooms. These usually include the living room, dining room, family room, den, bedrooms, utility room, etc., in addition to the kitchen, bathrooms, laundry area and garage, as applicable.

Egress windows are generally any type of operable window that, by virtue of its location and the size of its operable sash, is large enough to provide an alternate exit from a building in an emergency. The local jurisdiction and building standards establish which locations, typically sleeping rooms require egress windows with minimum standards for their openings and sill height above the floor.

10. Interiors

☒ (2)

Unit	Comments
1	<ol style="list-style-type: none"> 1. No Smoke Detector. 2. Garbage Disposal bound 3. Kitchen exhaust fan is not functioning 4. Bathroom – surface mold on walls above tub/shower surround (picture).
2	<ol style="list-style-type: none"> 1. Bathroom - Water damage behind vanity and above the window. 2. Kitchen exhaust fan is not functioning.
3	<ol style="list-style-type: none"> 1. Living window cracked at lower left corner of slider. 2. Kitchen exhaust fan is not functioning 3. Smoke detector not working 4. Bathroom – toilet tank is loose.
4	<ol style="list-style-type: none"> 1. Bedroom Window – 40" off the ground 96" wide. 2. Smoke detector not working 3. Bathroom – toilet tank is loose. 4. Bathroom – Basin stop is not working 5. Bathroom – Escutcheon ring loose on the hot water valve.
5	<ol style="list-style-type: none"> 1. Bathroom – toilet tank is loose. 2. Bathroom – damage to tile surround. 3. Bathroom – Escutcheon ring missing on the hot water valve.
6	No issues, attic access.
7	<ol style="list-style-type: none"> 1. Smoke detector not working. 2. Bathroom – damage to tile surround and walls.
8	<ol style="list-style-type: none"> 1. Past water damage at the ceiling above the entry. 2. Kitchen faucet loose. 3. Past water damage under kitchen sink. 1. Smoke detector not working. 1. Bathroom – tub shower diverter valve is bound unable to test shower.

9	1. Smoke detector not working.
---	--------------------------------

10.3 CEILINGS and WALLS [Inspected]

10.4 FLOORS [Inspected]

10.5 WINDOWS [Inspected]

10.6 DOORS AND CLOSETS [Inspected]

10.7 SMOKE DETECTOR(S) [Inspected]

11. Kitchen

Our inspection of the kitchen included a visual examination of the readily accessible components to determine defects, excessive wear, and general state of repair. We tested basic, major built-in appliances using normal operating controls. Accuracy and/or function of clocks, timers, temperature controls and self cleaning functions on ovens is beyond the scope of our testing procedure. Refrigerators or other appliances were not tested or inspected unless specifically noted.

Styles & Materials

Sink: 1 Bowl	Garbage Disposall: Yes	Countertop: Laminate
Cabinetry: Wood	GFCI Outlets: No - Recommend Upgrade	Microwave: Microwave Not installed
Refrigerator: Yes	Cooking Fuel: Natural Gas	Range/Oven: Natural Gas
Range Anti-tip Device: No		

Inspection Items**11.0 IMPORTANT CLIENT INFORMATION** [Inspected]

Confirming the accuracy and function of clocks, timers, temperature controls and the self-cleaning function of ovens is beyond the scope of this inspection.

Some local utility providers and private contractors offer annual service contracts covering gas or electric appliances or may be provided by a Home Warrantee. Consult with the utility provider and/or contractor regarding cost, scope of coverage and the availability of such programs.

Water filtration systems (if installed) are checked for water flow and leakage only. Testing for water quality is beyond the scope of this inspection.



11.0 Picture 1

11: Kitchen**11.1 KITCHEN INSPECTION LIMITATIONS [Inspected]**

Tests for leaks of microwaves from the appliance door or housing is not included in this inspection. If we tested the appliance, it was to simply determine if it will heat water/moisture placed into the unit. We cannot determine if the various cycles of the device function as designed. Because of the potential for microwave leakage, client is advised to have the appliance periodically tested and serviced by a qualified appliance service technician.

The refrigerator and related equipment were not evaluated and is specifically excluded from this report.

Physical and time constraints prevent the testing of oven self-cleaning operations. Such testing is beyond the scope of this inspection. It could be done by a competent appliance repair technician.

11.2 SINK(S) and GROUT/CAULKING [Inspected]**11.3 COUNTERTOP and CABINETRY [Inspected]****11.4 RANGE(S), OVEN(S), and COOKTOP(S) [Inspected]****11.5 GARBAGE DISPOSAL(S) [Inspected]**

Disposal



11.5 Picture 1

11.6 RANGE HOOD/EXHAUST [Inspected]**12: Bathrooms**

Our inspection of the bathrooms included a visual examination to determine if there were any active leaks, water damage, deterioration to floors and walls, proper function of components, excessive or unusual wear and general state of repair. Bathroom fixtures are run simultaneously to check for adequate water pressure and volume. Unusual bath features like steam generators or saunas are not inspected unless specifically discussed in this report.

Styles & Materials

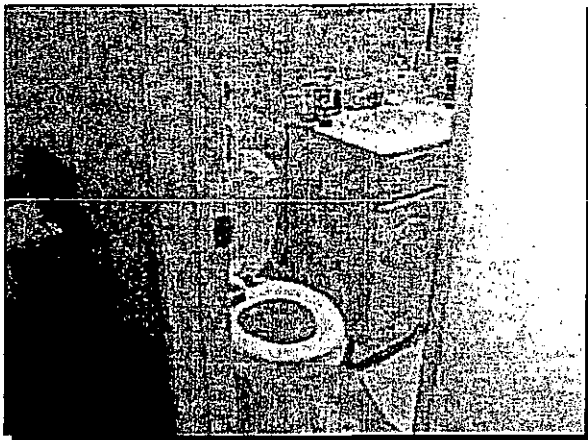
Number of Bathrooms: One	Tub: Stamped Steel with a porcelain finish	Bathroom Ventilation: Window
GFCI Protected Outlets: None - Recommend Install	Shower Wall Material: Ceramic Tiles	

Inspection Items**12.0 IMPORTANT CLIENT INFORMATION [Inspected]**

12: Bathrooms

Operating angle stops that have been shut off for some time may cause them to leak. Experienced inspectors do not operate them during a standard home inspection. If you chose to check any valve that has not been operated in the past six months, be prepared to deal with water leaks.

A water test of the shower pans is beyond the scope of this inspection. However, the inspector will examine accessible areas (if any) under the shower(s) for the presence of wood-destroying organisms and moisture-related damage.



12.0 Picture 1

- 12.1 **WASH BASIN(S)** [Inspected]
- 12.2 **TOILET(S)** [Inspected]
- 12.3 **SHOWER WALLS and ENCLOSURE** [Inspected]
- 12.4 **BATHTUB(S)** [Inspected]
- 12.5 **FLOOR** [Inspected]
- 12.6 **BATHROOM VENTILATION** [Inspected]

13: Laundry

Testing of clothes washers, dryers, water valves and drains are not within the scope of this inspection. We inspect the general condition and accessibility of the visible water supply, drain and electric and/or gas connections and visible portions of the dryer vent. If present, laundry sink features will be inspected.

Styles & Materials

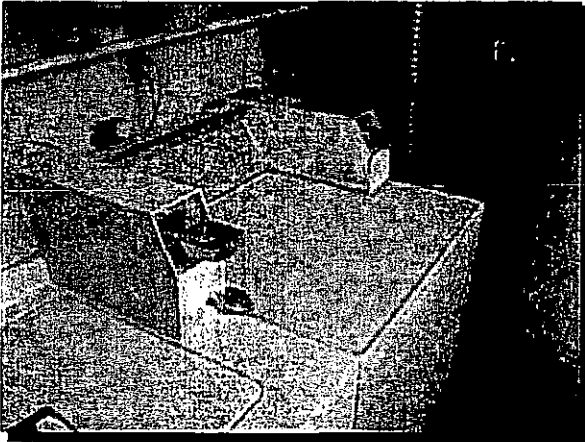
Dryer Power Source: Gas	Clothes Dryer Vent: Vents to Exterior	Visible Clothes Dryer Vent Material: Flexible Metal
Washing Machine Water Shut Off Valve: Present	Laundry Ventilation: Window	GFCI Protection: No

Inspection Items

- 13.0 **LAUNDRY APPLIANCES and PLUMBING INSPECTION LIMITATIONS** [Inspected]
- 13.1 **CLOTHES WASHER and DRYER HOOK-UPS** [Inspected]

13. Laundry

Laundry Facilities



13.1 Picture 1

13.2 CLOTHES WASHER [Inspected]

- ☒ Washer has previously overflowed. This may be caused by clogged lines or inadequately sized DWS plumbing. Further inspection may be warranted to resolve and correct this condition.

13.3 CLOTHES DRYER [Inspected]

Excessive lint behind dryer, this is a fire hazard. Clean area and confirm dryer vent is properly vented to the exterior.

13.4 LAUNDRY AREA VENTILATION [Inspected]

- ☒ (1) Dry wall damage to laundry room. Repair as needed. Also there is an existing large patch on the west wall of the laundry, see seller for cause..
- ☒ (2) Laundry room has no flooring, install flooring as part of upgrade.

13.5 DRYER VENT [Inspected]

Prepared Using HomeGauge <http://www.homegauge.com> SHGI (c) 2000-2007 : Licensed To LandAmerica Property Inspection Services

**INVOICE**

LandAmerica Assessment Corporation
P.O. Box 532, Laveen, AZ 85339
Inspected By: Michael Goodrich

Inspection Date: 7/9/2007
Report ID: 07-99999.1

Customer Info:	Inspection Property:
Bill Clarke John Clarke PO Box 261 Jamul CA 91935 Customer's Real Estate Professional:	1244 Oliver San Diego, Ca 92109

Inspection Fee:

Service	Price	Amount	Sub-Total
			Tax \$0.00
			Total Price \$1620.00

Payment Method: Check
Payment Status: Invoice Sent
Note: Prior To Report Release

Agency: CITY OF SAN DIEGO

LDR FILE NO.: 81316

DATE: October 11, 2005

Action/Permit: Coastal Development Permit, Tentative Map & Utility Undergrounding Waiver Permit No. N/A

Description of Activity: 1244 Oliver Tentative Map: The conversion of nine existing residential units to condominiums.

Location of Activity: 1244 Oliver Avenue, Pacific Beach Community Plan area

1. ☐ This activity is **EXEMPT FROM CEQA** pursuant to:

☐ Section 15060(b) (3) of the State CEQA Guidelines (the activity is not a project as defined in Section 15378).

2. ☒ This project is **EXEMPT FROM CEQA** pursuant to State CEQA Guidelines Section checked below:

**ARTICLE 19 of GUIDELINES
CATEGORICAL EXEMPTIONS**
(Incomplete list)


Sec.	Short Name
<input checked="" type="checkbox"/> 15301 1	Existing Facilities
<input type="checkbox"/> 15302 2	Replacement or Reconstruction
<input type="checkbox"/> 15303 3	New Construction or Conversion of Small Structures
<input type="checkbox"/> 15304 4	Minor Alterations to Land
<input type="checkbox"/> 15305 5	Minor Alterations in Land Use Limitations
<input type="checkbox"/> 15306 6	Information Collection
<input type="checkbox"/> 15311 11	Accessory Structures
<input type="checkbox"/> 15312 12	Surplus Government Property Sales
<input type="checkbox"/> 15315 15	Minor Land Divisions
<input type="checkbox"/> 15317 17	Open Space Contracts or Easements
<input type="checkbox"/> 15319 19	Annexation of Existing Facilities and Lots for Exempt Facilities
<input type="checkbox"/> 15325 25	Transfer of Ownership of Interest in Land to Preserve Open Space
<input type="checkbox"/> Other	

**ARTICLE 18 of GUIDELINES
STATUTORY EXEMPTIONS**
(Incomplete list)

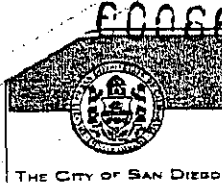
Sec.	Short Name
<input type="checkbox"/> 15261	Ongoing Project
<input type="checkbox"/> 15262	Feasibility and Planning Studies
<input type="checkbox"/> 15265	Adoption of Coastal Plans and Programs
<input type="checkbox"/> 15268	Ministerial Projects
<input type="checkbox"/> 15269	Emergency Projects
<input type="checkbox"/> Other	

It is hereby certified that the City of San Diego has determined the above activity to be exempt:

Distribution:


Kenneth Teasley, Senior Planner
Environmental Analysis Section

Exemption file
Project Manager



City of San Diego
Development Services
1222 First Ave. 3rd Floor
San Diego, CA 92101
(619) 446-5210

RECEIVED

Development Permit/Environmental Determination DS-3031 Appeal Application

FORM

DS-3031

ATTACHMENT 5

See Information Bulletin 505, "Development Permit Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:

- ☐ Process Two Decision - Appeal to Planning Commission
☐ Process Three Decision - Appeal to Planning Commission
☒ Process Four Decision - Appeal to City Council
☐ Environmental Determination - Appeal to City Council
☐ Appeal of a Hearing Officer Decision to revoke a permit

2. Appellant Please check one ☐ Applicant ☐ Officially recognized Planning Committee ☒ "Interested Person" (Per M.C. Sec. 113.0103)

Name
Robert J. Bateman, San Diego Land Surveying & Engineering, Inc.

Address City State Zip Code Telephone
9665 Chesapeake Dr., Suite 445 San Diego CA 92123 858-565-8362 ext. 101

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

William G. Clarke

4. Project Information

Permit/Environmental Determination & Permit/Document No.: PTS NO. 81316	Date of Decision/Determination: September 27, 2007	City Project Manager: Glenn Gargas
--	---	---------------------------------------

Decision (describe the permit/approval decision):

Approved by Planning Commission

5. Grounds for Appeal (Please check all that apply)

- ☐ Factual Error (Process Three and Four decisions only)
☒ Conflict with other matters (Process Three and Four decisions only)
☒ Findings Not Supported (Process Three and Four decisions only)
☐ New Information (Process Three and Four decisions only)
☐ City-wide Significance (Process Four decisions only)

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

This project was deemed complete in September of 2005

Requirements for Building Condition Reports, Landscaping Plans and Mandatory Private Improvements prior to Final Map

approval were not required or anticipated. Owner has plans to hold the property long-term and does not wish to evict

tenants to complete work for Final Map approval within 6 years.

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: Robert J. Bateman Date: 10-11-07

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.
Upon request, this information is available in alternative formats for persons with disabilities.

DS-3031(03-07)

000668

NOTICE OF EXEMPTION

original to
Peggy on
12/31/07

TO: X RECORDER/COUNTY CLERK
P.O. BOX 1750, MS A-33
1600 PACIFIC HWY, ROOM 260
SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT
1222 FIRST AVENUE, MS 501

 OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA 95814

PROJECT NO.: 81316

PROJECT TITLE: 1244 OLIVER TENTATIVE MAP

PROJECT LOCATION-SPECIFIC: 1244 Oliver Avenue, Pacific Beach, Community Plan Area

PROJECT LOCATION-CITY/COUNTY: San Diego, San Diego County

DESCRIPTION OF PROJECT: A Tentative Map & Coastal Development Permit to convert nine existing residential units to condominiums.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: William G. Clarke
PO Box 549
Jamul, California 91935
(619) 669-1706

EXEMPT STATUS: (CHECK ONE)

- () MINISTERIAL (SEC. 15268)
() DECLARED EMERGENCY [SEC. 15269 (A)]
() EMERGENCY PROJECT [SEC. 15269 (B) AND (C)]
(X) CATEGORICAL EXEMPTION (STATE TYPE AND SECTION NUMBER): Existing Facilities, Section 15301
() OTHER (STATE TYPE AND SECTION NUMBER):

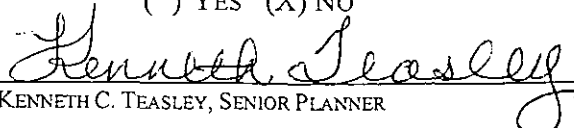
REASONS WHY PROJECT IS EXEMPT: The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations.


CONTACT PERSON: Kenneth Teasley

TELEPHONE: (619) 446-5390

IF FILED BY APPLICANT:

1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
() YES (X) NO


KENNETH C. TEASLEY, SENIOR PLANNER


DATE

CHECK ONE:

(X) SIGNED BY LEAD AGENCY

() SIGNED BY APPLICANT

DATE RECEIVED FOR FILING: _____

PLANNING COMMISSION RESOLUTION NO. 4316-2-PC
TENTATIVE MAP NO. 161391
1244 OLIVER TENTATIVE MAP - PROJECT NO. 81316

WHEREAS, WILLIAM G. CLARKE FAMILY TRUST, Applicant/Subdivider, and SAN DIEGO LAND SURVEYING AND ENGINEERING, INC., Engineer, submitted an application with the City of San Diego for a Tentative Map, No. 161391, for the conversion of an existing, two-story, nine (9) residential dwelling unit apartment complex into condominiums and to waive the requirement to underground existing overhead utilities. The project site is located at 1244 Oliver Avenue, on the north side of Oliver Avenue and east of Everts Street, and is legally described as Lots 29 and 30, Block 289, Pacific Beach Subdivision of AC Lots 67, 68, 76, 77, 80 & 81, Map TR No. 946, in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone and within the Pacific Beach Community Plan Area; and

WHEREAS, the Map proposes the subdivision of a 0.143 acre site into one (1) lot for a nine (9) unit residential condominium conversion; and

WHEREAS, the project is exempt from environmental review pursuant to Article 19, Section 15301(k) of the California Environmental Quality Act (CEQA) on the basis that the facilities are existing; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineering pursuant to the Subdivision Map Act and Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, the subdivision is a condominium project as defined in Section 1350 et seq. of the Civil Code of the State of California and is filed pursuant to the Subdivision Map Act. The total number of condominium units is nine (9) residential dwelling units; and

WHEREAS, on August 30, 2007, and continued to September 27, 2007, the PLANNING COMMISSION of the City of San Diego considered Tentative Map No. 161391, including the waiver of the requirement to underground existing overhead utilities, and pursuant to Sections 125.0440, 125.0444, and 144.0240 of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the PLANNING COMMISSION having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the PLANNING COMMISSION of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 161391:

1. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).

2. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).
3. Each of the tenants of the proposed condominium project has received, pursuant to State Map Action Section 66452.9, written notification of intention to convert at least 60 days prior to the filing of a tentative map (Land Development Code 125.0444 and State Map Act Section 66427.1(a)).
4. The project has been conditioned that the Subdivider will give each tenant and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the State Map Act (Land Development Code Section 125.0444 and State Map Act Section 66427.1(a)).
5. The project has been conditioned that the Subdivider will give each tenant 10 days' written notification that an application for a public report will be, or has been, submitted to the Department of Real Estate, and that such report will be available on request (Land Development Code Section 125.0444 and State Map Act Section 66427.1(a)).
6. The project has been conditioned that the Subdivider will give each tenant of the proposed condominium project written notification within 10 days of approval of a final map for the proposed conversion (Land Development Code Section 125.0444 and State Map Act Section 66427.1(b)). If the subdivider chooses to provide affordable housing units, the subdivider shall enter into an affordable housing agreement with the Housing Commission, prior to recordation of the Final Map.
7. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion (Land Development Code Section 125.0444 and State Map Act Section 66427.1(c)).
8. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his

or her intention not to exercise the right (Land Development Code Section 125.0444 and State Map Act Section 66427.1(d)).

9. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing (Land Development Code Section 125.0444.b).
10. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed (Land Development Code Section 125.0444.c).
11. Each of the tenants of the proposed condominium project has received written notification of the project application for the condominium conversion at least 10 days after the application was deemed complete (Land Development Code 125.0431(a)(3)).
12. The project has been conditioned that the subdivider will give each person applying for the rental of a unit in such residential real property written notification that the project application for the condominium conversion was deemed complete (Land Development Code 125.0431(a)(3)).
13. The project has been conditioned that the subdivider will give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (Land Development Code Section 125.0431(a)(4)).
14. The project has been conditioned that the subdivider will provide a relocation assistance payment to all tenants of the project whose tenancy has terminated due to the condominium conversion. (Land Development Code Section 144.0505).
15. The project has been conditioned for the subdivider to satisfy the inclusionary housing requirements in accordance with Land Development Code Section 142.1306. (Land Development Code Section 144.0508).
16. The requested underground waiver of the existing overhead facilities, qualifies under the guidelines of Council Policy No. 600-25 *Underground Conversion of Utility Lines at Developers Expense* in that:
 - A. The conversion involves a short span of overhead facility (less than 600 feet in length).
 - B. The conversion is a requirement of a condominium conversion of an existing development and the conversion would not represent a logical extension to an underground facility.

17. That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the PLANNING COMMISSION, Tentative Map No. 161391, including the waiver of the requirement to underground existing overhead utilities, is hereby granted to William G. Clarke Family Trust, Applicant/Subdivider, subject to the following conditions:

GENERAL

1. This Tentative Map will expire October 12, 2010.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the Tentative Map expiration date, a Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the County Recorder.
4. The Final Map shall conform to the provisions of Coastal Development Permit No. 457937.
5. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any to any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.

6. The subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:
 - a. For existing tenants, within 10 days of the project application for the *condominium conversion* being deemed complete; or
 - b. For prospective tenants, upon application for the rental of a unit in the proposed *condominium conversion*.
7. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the State Map Act.
8. The Subdivider shall provide the tenants a Notice of Application for a Public Report at least 10 days prior to the submittal to the Department of Real Estate (DRB), pursuant to Section 66427.1(a) of the Subdivision Map Act.
9. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Section 66427.1(c) of the Subdivision Map Act. The provisions of this subdivision shall not alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Sections 1941, 1941.1 and 1941.2 of the Civil Code.
10. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Section 66427.1(d) of the State Map Act. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report, pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.
11. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days or approval of a Final Map for the proposed conversion, in conformance with Section 66427.1(b) of the Subdivision Map Act.
12. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.

13. Prior to recordation of the Final Map, all onsite utilities serving the subdivision shall be undergrounded with appropriate permits. The applicant shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
14. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the State Map Act.
15. The Subdivider shall provide the tenants a Notice of Application for a Public Report at least 10 days prior to the submittal to the Department of Real Estate (DRB), pursuant to Section 66427.1(a) of the Subdivision Map Act.
16. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Section 66427.1(c) of the Subdivision Map Act. The provisions of this subdivision shall not alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Sections 1941, 1941.1 and 1941.2 of the Civil Code.
17. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Section 66427.1(d) of the State Map Act. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report, pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.
18. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days or approval of a Final Map for the proposed conversion, in conformance with Section 66427.1(b) of the Subdivision Map Act.
19. The subdivider will provide to a prospective purchaser a copy of the Building Conditions Report prior to the opening of an escrow account. (Land Development Code Section 144.0504(c)).

AFFORDABLE HOUSING

20. The Housing Commission carried out a tenant income survey pursuant to the City's Coastal Overlay Zone Affordable Housing Replacement Regulations (Municipal Code Sections 143.0810 through 143.0860). The applicant is required to pay an in-lieu fee of \$145,100.00 to the Housing Commission or provide four replacement studio units for low-income households and one replacement studio unit for moderate-income households.

The applicant shall enter into a Coastal Affordable Housing Compliance Agreement with the Housing Commission prior to the approval of Final Map.

21. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5), to the satisfaction of the City Manager and the Housing Commission.

ENGINEERING

22. The Final Map shall comply with the provisions of Coastal Development Permit No. 457937.
23. The subdivider shall remove the parking stripes from the Oliver Street right-of way.
24. The subdivider shall repair the damaged areas of the on site parking area off of Oliver Avenue.
25. The subdivider shall repair the damaged areas of the adjacent alley.
26. The subdivider shall ensure that all onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
27. The subdivider shall re-stripe the rear and front parking spaces as shown on the TM.
28. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for building and landscape improvements (Land Development Code Sections 144.0507), to the satisfaction of the City Engineer. The subdivider also agreed to an additional "Construction Budget" of additional improvements to the property, which would augment the submitted Property Conditions Report, these additional

improvements are listed in the submitted "JG Clarke Construction" Construction Budget letter dated August 22, 2007, and is part of Exhibit A. At the hearing the subdivider also agreed to interior sound wall improvements, fire wall improvements, an up-grade of electrical system of the building to current code and the addition of a shut-off valve. The parking requirements in Land Development Code Sections 144.0507 and 142.0525.a do not apply, since this project was deemed complete prior to the effective date of this ordinance (July 27, 2006).

MAPPING

29. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
30. "California Coordinate System means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
31. Every Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.
32. The design of the subdivision shall include private easements, if any, serving parcels of land outside the subdivision boundary or such easements must be removed from the title of the subdivided lands prior to filing any parcel or final map encumbered by these easements.

SEWER AND WATER

33. Water and Sewer Requirements:

- a. The subdivider shall install appropriate private back flow prevention devices on all existing and proposed water services (domestic, irrigation, and fire) adjacent to the project site in a manner satisfactory to the Water Department Director.
- b. The subdivider shall provide a letter, agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.

INFORMATION:

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party, on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within 90 days of the approval of this Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF
SAN DIEGO, CALIFORNIA, ON SEPTEMBER 27, 2007, BY RESOLUTION NO.
4316-2-PC.

By

Glenn R. Gargas
Development Project Manager
Development Services Department

Job Order No. 42-5094

Rev 3/7/05 dcj

2007 OCT 30 PM 5:05

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RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
PERMIT INTAKE
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-5094

COASTAL DEVELOPMENT PERMIT NO. 457937
1244 OLIVER TENTATIVE MAP – PROJECT NO. 81316
PLANNING COMMISSION

This Coastal Development Permit No. 457937 is granted by the Planning Commission of the City of San Diego to William G. Clarke and Joanne E. Clarke, Co-Trustees of Clarke Trust, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0702. The 0.25 acre site is located at 1244 Oliver Street, in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone, within the Pacific Beach Community Planning Area. The project site is legally described as Lots 29 and 30, Block 289, Pacific Beach Subdivision of AC Lots 67, 68, 76, 77, 80 and 81, Map TR No. 946.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner /Permittee to divide an existing 9 unit apartment complex to be converted into 9 residential condominium units described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated September 27, 2007, on file in the Development Services Department.

The project or facility shall include:

- a. Division of an existing two-story, 9 unit apartment complex, into 9 residential condominium units on a 0.143 acre property;
- b. Existing Landscaping;
- c. Existing Off-street parking facilities, ten parking spaces;
- d. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement

requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Conversion of the existing units to condominium ownership must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. This Permit shall become effective with recordation of the corresponding final parcel map for and approval of the project site.
8. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

ENGINEERING REQUIREMENTS:

9. The Coastal Development Permit shall comply with all conditions of the associated Tentative Map No. 254536 to the satisfaction of the City Engineer.

AFFORDABLE HOUSING REQUIREMENTS:

10. The Housing Commission carried out a tenant income survey pursuant to the City's Coastal Overlay Zone Affordable Housing Replacement Regulations (Municipal Code Sections 143.0810 through 143.0860). The applicant is required to pay an in-lieu fee of \$145,100.00 to the Housing Commission or provide four replacement studio units for low-income households and one replacement studio unit for moderate-income households.

The applicant shall enter into a Coastal Affordable Housing Compliance Agreement with the Housing Commission prior to the approval of Final Map.

11. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5), to the satisfaction of the City Manager and the Housing Commission.

PLANNING/DESIGN REQUIREMENTS:

12. No fewer than ten (10) off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A," on file in the Development Services Department. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

13. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

14. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for Inclusionary Housing Regulations (Chapter 14, Article 2, Division 13), to the satisfaction of the City Manager and the Housing Commission.

15. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5), to the satisfaction of the City Manager and the Housing Commission.

INFORMATION ONLY:

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.

APPROVED by the Planning Commission of the City of San Diego on September 27, 2007, by Resolution No. 4316-1-PC.

PLANNING COMMISSION
RESOLUTION NO. – 4316-1-PC
COASTAL DEVELOPMENT PERMIT NO. 457937
1244 OLIVER TENTATIVE MAP – PROJECT NO. 81316

WHEREAS, William G. Clarke and Joanne E. Clarke, Co-Trustees of Clarke Trust, Owner/Permittee, filed an application with the City of San Diego to divide an existing two-story, apartment complex with nine dwelling unit apartments into nine residential condominium units (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 457937, on portions of a 0.143-acre property;

WHEREAS, the project site is located at 1244 Oliver Street, in the RM-1-1 Zone, Coastal Overlay Zone (non-appealable), Coastal Height Limitation Overlay Zone, and within the Pacific Beach Community Planning Area;

WHEREAS, the project site is legally described as Lots 29 and 30, Block 289, Pacific Beach Subdivision of AC Lots 67, 68, 76, 77, 80 and 81, Map TR No. 946.

WHEREAS, on August 30, 2007, and continued to September 27, 2007, the Planning Commission of the City of San Diego considered Coastal Development Permit No. 457937, pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated September 27, 2007.

FINDINGS:

Coastal Development Permit - Section 126.0708

- 1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan; and**

The 0.143-acre project site is currently developed with an existing apartment complex which includes nine residential apartment units. The development proposes to divide the existing nine dwelling units into residential condominiums and is located approximately five blocks from the coastline. The proposed development is existing and is contained within the existing legal lot area, which will not encroach upon any existing or proposed physical access to the coast. The project site is not located on or adjacent to an identified visual access corridor as identified within the Pacific Beach Local Coastal Program. The project site is situated along Oliver Street, within a developed multi family residential neighborhood. The proposed division into condominiums met the development setbacks

and height limit required at the time it was built and the proposed structure will not block any identified visual corridor.

2. The proposed coastal development will not adversely affect environmentally sensitive lands; and

The 0.143-acre project site is currently developed with an nine dwelling unit apartment complex and does not contain environmentally sensitive lands. The environmental review, determined that the project would not have a significant environmental effect on environmentally sensitive lands and was found to be exempt from environmental review under CEQA Guidelines. The project does not propose any grading on any portion of the property and does not propose any encroachment into Environmentally Sensitive Lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program; and

The proposed division of the existing apartment complex with nine dwelling units into condominium units is located on a site which has a Multi-Family Residential land use designation. During environmental review, it was determined that the project was exempt under the CEQA Guidelines. The project design was also determined to be in compliance with all of the applicable development regulations at the time it was constructed. Due to these factors the proposed condominium conversion was found to be in compliance with the City of San Diego adopted Pacific Beach Community Plan and the Progress Guide and General Plan and the certified Local Coastal Program Land Use Plan.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The 0.143-acre site, currently developed with an existing apartment complex that includes nine dwelling units, is located within a well developed multi family residential neighborhood. The project site is not located between the first public road and the sea or coastline. Development of the project will be fully within the private property. The project site is approximately five blocks away from the Pacific Ocean. There is no identified public access and public recreation area on or adjacent to the project site and these stated resources will not be impaired by the development of this site. The proposed condominium conversion project is designed to take access off the existing public alley and public street, with all ten existing off street parking spaces off the alley and street. The existing character and pedestrian design of the street will remain unaltered.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Coastal Development Permit No. 457937, is hereby GRANTED by the Planning

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Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 457937, a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas
Development Project Manager
Development Services

Adopted on: September 27, 2007

Job Order No. 42-5094

cc: Legislative Recorder, Planning Department

ALL-PURPOSE CERTIFICATE

Project No. 81316 J.O. No. 42-5094

Type/PTS Approval Number of Document CDP No.
457937 & TM No. 254536Date of Approval Sept. 27, 2007STATE OF CALIFORNIA
COUNTY OF SAN DIEGOGlenn R. Gargas, Development Project Manager

On November 4, 2007, before me, Raquel Herrera, (Notary Public), personally appeared Glenn R. Gargas, Development Project Manager of the Development Services Department of the City of San Diego, personally known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature _____
Raquel Herrera**ALL-PURPOSE CERTIFICATE**

OWNER(S)/PERMITTEE(S) SIGNATURE/NOTARIZATION:

THE UNDERSIGNED OWNER(S)/PERMITTEE(S), BY EXECUTION THEREOF, AGREES TO EACH AND EVERY CONDITION OF THIS PERMIT AND PROMISES TO PERFORM EACH AND EVERY OBLIGATION OF OWNER(S)/PERMITTEE(S) THEREUNDER.

Signed _____ Signed _____
Typed Name Typed Name

STATE OF _____
COUNTY OF _____

On _____ before me, _____ (Name of Notary Public)
personally appeared _____, personally known to me (or
proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

01 OCT 33 PM 5:00

WITNESS my hand and official seal.

Signature _____

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
SEPTEMBER 27, 2007
IN CITY COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

CHRONOLOGY OF THE MEETING:

Chairperson Schultz called the meeting to order at 9:06 a.m. Chairperson Schultz adjourned the meeting at 12:24 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Barry Schultz-present
Vice-Chairperson Kathleen Garcia- Not present
Commissioner Robert Griswold- present
Commissioner Gil Ontai-present
Commissioner Dennis Otsuji- present
Commissioner Eric Naslund- present
Commissioner Mike Smiley - present
Mary Wright, Planning Department – present
Mike Westlake, Development Services-present
Andrea Dixon, City Attorney- present
Sabrina Curtin, Recorder-present

ITEM-6: *Continued from July 12 and August 30, 2007:*

1244 OLIVER TENTATIVE MAP - PROJECT NO. 81316

City Council District: 2 Plan Area: Pacific Beach

Staff: Glenn Gargas

Speaker slips submitted in favor by Robert Bateman and William Clarke
No one present to speak in opposition.

COMMISSION ACTION:

MOTION BY COMMISSIONER NASLUND TO APPROVE COASTAL
DEVELOPMENT PERMIT NO. 457937.

APPROVE TENTATIVE MAP NO. 254536, AND THE REQUEST TO WAIVE
THE REQUIREMENT TO UNDERGROUND EXISTING OVERHEAD UTILITIES
AS PRESENTED IN PC-07-094 WITH THE FOLLOWING CONDITIONS;

THE ENTIRE ITEMS LISTED ON THE SUBMITTED JG CLARK
CONSTRUCTION BUDGET LIST (LISTED DOLLAR AMOUNT DOES NOT
APPLY), ALONG WITH THE APPLICANT AGREES TO UPGRADE
ELECTRICAL TO CURRENT CODE PER ITEMS LISTED IN THE LAND
AMERICA BUILDING CONDITION REPORT MUST BE COMPLETED AS
PART OF THE APPROVAL PRIOR TO THE APPROVAL OF THE FINAL MAP.
NO REFERENCE TO DOLLAR AMOUNT; IT IS THE SCOPE OF THE PROJECT
(ITEMS LISTED IN HANDOUT).

Second by Commissioner Griswold. Passed by a 5-1-1 with Commissioner Griswold
voting nay and Vice-Chairperson Garcia not present. Resolution No. PC-4316

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
AUGUST 30, 2007
IN CITY COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

CHRONOLOGY OF THE MEETING:

Chairperson Schultz called the meeting to order at 9:06 a.m. Chairperson Schultz adjourned the meeting at 12:31 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Barry Schultz-present
Vice-Chairperson Kathleen Garcia- Not present
Commissioner Robert Griswold- present
Commissioner Gil Ontai-present
Commissioner Dennis Otsuji- present
Commissioner Eric Naslund- present
Commissioner Mike Smiley – present

Mary Wright, Planning Department – present
Mike Westlake, Development Services-present
Andrea Dixon, City Attorney- present
Sabrina Curtin, Recorder-present

ITEM-8: *Continued from July 12, 2007:*

1244 OLIVER TENTATIVE MAP - PROJECT NO. 81316

City Council District: 2 Plan Area: Pacific Beach

COMMISSION ACTION:

MOTION BY COMMISSIONER NASLUND TO CONTINUE TO SEPTEMBER 27, 2007 TO ALLOW THE APPLICANT MORE TIME TO PROVIDE ADEQUATE INFORMATION TO THE COMMISSION.

Second by Commissioner Ontai.

Passed by a 6-0-1 vote with Vice-Chairperson Garcia not present.

JG Clarke Construction

LIC # 848989

P.O. Box 261

Jaimul, CA 91935

Ph 619-672-3872

Fax: 619-669-9868

8/22/2007

Project 1244 Oliver Ave

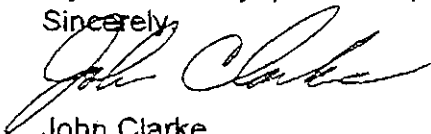
Dear Mr Clarke,

Pursuant to your request, we are submitting this construction budget based upon the report by Land America and landscape plans.

A Landscape and Irrigation	\$ 18,000.00
B Building signage and Mail Boxes	\$ 6,000.00
C Structure	
Sewer	\$ 14,000.00
Water/Water heater	\$ 15,000.00
Electrical	\$ 15,000.00
Exterior wood repair, patch and paint	\$ 20,000.00
Remove and replace interior walls, studs and sheetrock	\$ 50,000.00
New windows and doors	\$ 5,000.00
Exterior railings	\$ 7,000.00
Exterior steps	\$ 4,000.00
Roof	\$ 5,000.00
Unit improvements including flooring, finish fixtures, appliances and cabinets	\$ 135,000.00
Total	\$ 294,000.00

If you have any questions, please contact me.

Sincerely,



John Clarke
JG Clarke Construction